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Journal of the Assembly

DURING THE

Forty-first (extra) Session

OF THE

Legislature of the State of California

1916

Began on Wednesday, January fifth, and ended on Tuesday,  
January eleventh, nineteen hundred sixteen

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felt prayer that in their sorrow they may be sustained and comforted by Divine assistance;

Second—That these resolutions be entered upon the Journal of this House and that a suitably engrossed copy thereof be prepared and sent by the Clerk to the family of the deceased; and

Third—That when this House adjourns today—it does so in respectful memory of Lorenzo Dow Scott—conscientious legislator, good citizen, kindly friend

The resolution was read and upon a rising vote was unanimously adopted.

#### PRAYER.

By invitation of the Chief Clerk, the opening prayer was offered by the Rev. James Whittaker, Chaplain of the forty-first session of the Assembly.

#### GOVERNOR'S PROCLAMATION.

The following proclamation was read:

#### PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION

##### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened.

Now, therefore, I, HIRAM W. JOHNSON, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of article V of the Constitution, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Wednesday, the fifth day of January, one thousand nine hundred and sixteen, at two o'clock P. M. of that day, for the following purposes and to legislate upon the following subjects, to-wit:

1. To amend the Direct Primary Law relating to nominations of candidates for public office, approved June 16, 1913, so that the same shall provide for the nomination by electors, political parties and organizations of electors of candidates for public office in such manner as to conform to other existing election laws, and thereby enable electors registered pursuant to such existing laws to participate in nominating such candidates thereunder.

2. To amend sections 3, 6, and 9 of the Presidential Primary Act, approved April 28, 1915, so that electors registered pursuant to existing laws may participate in nominating candidates for delegates thereunder; and to add a new section to such act calling and providing for a presidential primary election to be held on the second day of May, 1916.

3. To authorize the board of trustees of the San Francisco State Normal School to select a new site for said school upon the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition, or any corporation representing or acting for or in conjunction with said exposition, and, in event of such selection of said new site, provide for and authorize the sale or exchange of the present site of said normal school and the disposition of improvements thereon.

To provide for and authorize said Board of Trustees to acquire by purchase, gift, condemnation, or otherwise all necessary lands, buildings, improvements, and equipment for such school, and, for this purpose, to authorize the condemnation of publicly or privately owned lands and improvements; to provide for and authorize the city and county of San Francisco to abandon and close streets, or portions of streets, within and about the site so selected and to transfer title thereto for the use of said state normal school; and to provide for and authorize the use, in connection with such site, of State lands adjacent thereto.

To provide for the disposition of any proceeds of the Panama-Pacific International Exposition accruing to the State from the Panama-Pacific International Exposition Company through the operation of said exposition, or otherwise, or of any money or property that may be due to or be given to the State by said exposition company or its directors, to make appropriations thereof, and to authorize the board of trustees of the state normal school, or any official or officials of the State, to accept property for or on behalf of the State in full or partial settlement of the claims of the State to its proportion of such proceeds, or money or property.

4. To consider and act upon an amendment to the act of the Legislature of the State of California entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending its provisions so as to authorize and provide for the use of said Balboa Park for exposition purposes during the years 1916 and 1917; and to do what may be deemed appropriate or necessary in relation to the Panama-California International Exposition of San Diego.

In witness whereof I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol this first day of January, in the year of our Lord one thousand nine hundred and sixteen

[SEAL]

HIRAM W. JOHNSON,  
Governor.

Attest FRANK C JORDAN, Secretary of State.  
By FRANK H CORY, Deputy.

## RESOLUTIONS.

The following resolution was offered:

By Mr. Ryan:

*Resolved*, That the following persons constitute the officers of the Assembly with the per diem as fixed by statute

Honorable C C Young	Speaker
Honorable Howard J Fish	Speaker pro tem.
L B Mallory	Chief Clerk
Moses Stein	First Assistant Chief Clerk
Arthur A Wendering	Assistant Clerk
Vincent G Geleisch	Minute Clerk
Henry B Miller	Scrivener-at-Arms
Rev. James Whittaker	Chaplain

*And be it further resolved*, That the State Controller be, and he is hereby, directed to draw his warrants in favor of the above named persons and the State Treasurer is hereby directed to pay such warrants for and at the fixed per diem.

Resolution read.

The roll was called, and resolution adopted by following vote:

AYES—Messrs. Anderson, Americh, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward Browne, M B, Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chenoweth, Collins, Conard, Bennett, Downing, Edwards, L. Ensell, Ferguson, Gelder, Gelsil, Harris, Hawson, Hayes, D R Hayes, J J, Johnson, Kennedy, Kerr, Kinner, Long, Lestutter, Lyon, Manning, Marion, McClay, McDonald, J J, McDonald, W A, McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Plendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas E Scott, Fred C, Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright.  
T. M.—72

NOES—None

Whereupon the Chief Clerk declared the above-named duly elected officers of the Assembly for the forty-first (extra) session of the Legislature.

## OATH OF OFFICE.

The aforementioned officers (elect) of the Assembly, presented themselves at the bar of the Assembly and each took and subscribed to the following oath of office:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected, according to the best of my ability.

## SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, January 5, 1916

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following resolution

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers

President pro tem	Hon. N. W. Thompson
Secretary of Senate	Edwin F. Smith
Sergeant-at-Arms	Thos. A. Brown
Minute Clerk	Clifton E. Brooks
Chaplain	Rev. Father Henry I. Stark

EDWIN F. SMITH, Secretary of Senate  
By J. W. KAVANAGH, Assistant Secretary.

## RESOLUTIONS—(RESUMED).

The following resolution was offered:

By Mr. Encell:

*Resolved*, That until further order the Standing Rules of the Assembly at its last regular session be and the same are hereby adopted as the rules of this extraordinary session, and with the exception that Rule 1 shall be amended to read as follows.

## HOUR OF MEETING

1 The sessions of the House shall be daily, beginning at nine o'clock and thirty minutes a.m. A recess shall be taken at the hour of twelve o'clock and thirty minutes p.m. to two o'clock p.m. unless otherwise ordered by a vote of the House.

*And be it further resolved*, That the members of the committees appointed at the last regular session shall remain as the members of the committees of this extraordinary session, *provided*, that all vacancies shall be filled by appointment by the Speaker.

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnetich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward Browne, M. B. Bruck, Buike, Byrnes, Canepa, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, L. Encell, Ferguson, Fish, Gelder, Godsil, Harris, Hawson, Hayes, D. R. Hayes, J. J. Johnson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E. Scott, Fred C. Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M. and Mr. Speaker—73

NOES—None

## STANDING RULES OF THE ASSEMBLY

*Hour of Meeting*

1. The sessions of the house shall be daily, beginning at nine o'clock and thirty minutes a.m. A recess shall be taken at the hour of twelve o'clock and thirty minutes p.m. to two o'clock p.m. unless otherwise ordered by a vote of the House.

*Order of Business*

## 2 Order of business.

- 1 Roll Call.
- 2 Prayer by the Chaplain.
- 3 Reading and approval of the Journal.
- 4 Presentation of Petitions.
- 5 Reports of Standing Committees.
- 6 Reports of Select Committees.
- 7 Messages from the Governor.
- 8 Messages from the Senate.
- 9 Introduction and Reference of Bills.
- 10 Motions and Resolutions.
- 11 Special Orders of the Day.
- 12 Unfinished Business of the Preceding Day.
- 13 Business on Special File.
- 14 Business on General File and Third Reading of Bills.
- 15 Announcements of Committee Meetings.

*Reports of Committee on Engraving and Enrollment.*

3 It shall be in order for the Committee on Engraving and Enrollment to report at any time.

*Messages From the Governor and Senate*

4 Messages from the Governor and from the Senate may be considered at any time by vote of the House.

*Messengers May be Introduced.*

5 Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

*Petitions to be Presented With a Brief Statement of Contents.*

6 Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as the House shall determine.

*Introduction and Reading of Bills.*

7 Any member desiring to introduce a bill shall rise in place and address the Speaker and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two-thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading, whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

*Introduction of Bills by Committee.*

8 Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed, and placed upon the Assembly file for further action.

*Disposition of Senate Bills.*

9 When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee, *provided, however*, that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislative day, whether or not said bill is identical with the Assembly bill, and if reported identical, shall be read the second time be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee, *provided*, that the fact that the bills are identical shall be entered in the Journal.

*Joint and Concurrent Resolutions and Constitutional Amendments.*

10 Joint and concurrent resolutions shall be treated the same as bills, *provided* that they shall be read but once, and that after they have been reported by a committee *and provided, further*, that the ayes and noes shall not be called upon the adoption of concurrent resolutions, unless regularly demanded, or required by statute or the Constitution. Proposed amendments to the Constitution shall be treated the same as bills, *provided*, they shall be read but once, and only after they have been reported by a committee.

*Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole.*

11 All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

*Reference of Bills.*

12 No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

*Referring With Special Instructions.*

13 A bill or resolution may be committed with special instructions at any time after the final reading has been ordered.

*Order of Making File.*

14 Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 7. When reported back they shall be placed upon the General File to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the House. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present, such vote to be taken by roll call, *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in

the General File, and when passed on file a second time, the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file, shall be omitted from the General File. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

*Order of Making Special File.*

15. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

*Taking Up Bills Out of Order.*

16. When a member shall ask leave to have a bill taken up out of its regular order, he shall in making the motion give the number and title of the bill and its position on the file.

*Engrossment and Enrolling Bills.*

17. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to bills or preparation of bills before this House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly.

*Bills to Be Reported Back Within Ten Days.*

18. All bills referred to any committee shall be, by such committee reported back to the House with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

*Speaker to Call House to Order.*

19. The Speaker, or, in his absence, the Speaker pro tem, shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tem, the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

*Speaker to Preserve Order; to Decide Points of Order; and May Speak to Same*

20. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

*Speaker to Have Direction of the Hall; May Call Any Member to the Chair*

21. He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitutions shall not extend beyond an adjournment.

*Speaker to Sign Resolutions, Etc., Attested by the Clerk.*

22. All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

*Speaker May Order the Galleries and Lobby Cleared.*

23. In case of any disturbance or disorderly conduct in the galleries or lobby, or whenever he shall deem it necessary, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

*Duties of the Sergeant-at-Arms.*

24. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeant-at-Arms and gatekeepers, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attaché under him for dereliction of duty, and shall report to the Committee of Attachés such suspension and the causes thereof. Said suspended attaché shall not receive any pay

during the time of such suspension. The Committee on Attachés shall have power to relieve the attaché of his suspension, and shall have the power, subject to the approval of the House, to remove any attaché for incompetency or for wilful neglect of duty.

*Expenses of Sergeant-at-Arms.*

25. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

*Assistant Sergeant-at-Arms to Be Doorkeeper.*

26. The Assistant Sergeant-at-Arms designated by the Speaker shall be the doorkeeper and shall be sworn to keep the secrets of the House.

*Standing Committees.*

27. The standing committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of thirteen members.
2. A Committee on Attachés, to consist of seven members.
3. A Committee on Banking, to consist of nine members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Civil Service, to consist of eight members.
6. A Committee on Claims, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contingent Expenses, to consist of five members.
11. A Committee on Contested Elections, to consist of seven members.
12. A Committee on Corporations, to consist of nine members.
13. A Committee on County Government, to consist of fifteen members.
14. A Committee on Direct Legislation, to consist of seven members.
15. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
16. A Committee on Education, to consist of eleven members.
17. A Committee on Elections, to consist of fifteen members.
18. A Committee on Engrossment and Enrollment, to consist of five members.
19. A Committee on Federal Relations, to consist of seven members.
20. A Committee on Fish and Game, to consist of fifteen members.
21. A Committee on Hospitals and Asylums, to consist of thirteen members.
22. A Committee on Insurance, to consist of eleven members.
23. A Committee on Irrigation, to consist of thirteen members.
24. A Committee on Judiciary, to consist of twenty-one members.
25. A Committee on Labor and Capital, to consist of thirteen members.
26. A Committee on Libraries, to consist of seven members.
27. A Committee on Live Stock and Dairies, to consist of eleven members.
28. A Committee on Manufactures, to consist of seven members.
29. A Committee on Medical and Dental Laws, to consist of nine members.
30. A Committee on Mileage, to consist of five members.
31. A Committee on Military Affairs, to consist of nine members.
32. A Committee on Mines and Mining, to consist of nine members.
33. A Committee on Municipal Corporations, to consist of thirteen members.
34. A Committee on Normal Schools, to consist of seven members.
35. A Committee on Oil Industries, to consist of nine members.
36. A Committee on Prisons and Reformatories, to consist of thirteen members.
37. A Committee on Public Charities and Corrections, to consist of nine members.
38. A Committee on Public Health and Quarantine, to consist of nine members.
39. A Committee on Public Morals, to consist of eleven members.
40. A Committee on Public Utilities, to consist of nine members.
41. A Committee on Revenue and Taxation, to consist of fifteen members.
42. A Committee on Revision of Criminal Procedure, to consist of seven members.
43. A Committee on Roads and Highways, to consist of fifteen members.
44. A Committee on Rules, to consist of seven members, including the Speaker.
45. A Committee on State Grounds and Parks, to consist of seven members.
46. A Committee on Universities, to consist of seven members.
47. A Committee on Ways and Means, to consist of twenty-one members.

*Committees to Be Appointed by Speaker.*

28. All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

*Committee on Contested Elections.*

29. It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of such members returned to serve in this House, as may have their seats contested, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House, or the Speaker thereof.

*Committee on Ways and Means.*

30. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State officers and State boards or State commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly, to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means, and said committee shall consider and report thereon the amount of appropriation required, but such bill shall retain its place on file pending its consideration by said Committee on Ways and Means. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

*Committee on Engrossment and Enrollment*

31. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof, and, before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

*Committee Expenditures*

32. No member of any committee shall be permitted to incur any expense by visiting any part of the State on official or other business without first obtaining leave of the House by a two-thirds vote of the members thereof.

*Committee of the Whole House.*

33. In forming a Committee of the Whole House, the Speaker as chairman or a chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

*Rules in Committee of the Whole.*

34. The rules of the Assembly shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes need not be taken.

*Motion to Rise Decided Without Debate.*

35. A motion that the committee rise shall always be in order, and shall be decided without debate.

*Reference of Bills.*

36. When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order.

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

*Calling Members to Order When Transgressing Rules.*

37. If any member, in speaking or otherwise transgresses the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed, but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

*Speaker to Decide Who is Entitled to the Place.*

38. When two or more members shall rise at once, the Speaker shall name the member who is first to speak.



*Order in Speaking to Questions*

39 Every member, when he speaks, shall, standing in his place, address "Mr Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

*Called to Order for Offensive Words in Debate*

40 If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table, and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

*Personal Explanation*

41 Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

*Motions to Be Stated by Speaker, and if Desired Shall Be Reduced to Writing, or May Be Withdrawn.*

42 No motion shall be debated until the same be seconded and distinctly announced by the Speaker, and it shall be reduced to writing if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

*Motion to Adjourn.*

43 A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made and adjournment taken.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

*Precedence of Motions During Debate*

44 When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table, for the previous question; to postpone to a day certain, to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

*Previous Question.*

45 The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

*Questions of Order After Previous Question Is Ordered*

46 All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate, *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

*Previous Question Demanded*

47. The previous question shall be put only when demanded by three members

*Question Indefinitely Postponed.*

48 When a question is postponed indefinitely, the same shall not again be introduced during the session.

*Division of Questions.*

49 Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

*Substitute.*

50 A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such.

*Subjects Different From the One Under Consideration.*

51 No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

*Printing of Bills.*

52 One thousand copies of all bills and as many additional copies as the House shall order, shall be printed. The Chief Clerk or Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter, and the quantity thereof.

*Printing Extra Number of Bills Etc.*

53 A proposition to print an extra number of any document or other matter shall be on the table one day for consideration, unless otherwise ordered by consent of the House.

*Printing of Maps.*

54 Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

*Filling Blanks*

55 In filling up blanks the least sum and shortest time shall be put first.

*Priority of Business*

56 All questions relating to the priority of business shall be decided without debate.

*Reading of Papers.*

57 When the reading of a paper is called for except petitions and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate.

*Notice of Reconsideration.*

58 On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member, provided a notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the successful side, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call and it shall require forty-one votes to adopt the motion.

*Election by House.*

59 In all cases of election by the House, the vote shall be taken *en bloc*.

*Calling Ayes and Noes.*

60 The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

*Members at Clerk's Desk*

61 No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

*Voting on Question When Interested.*

62 No person shall vote on any question in the result of which he is personally interested or involved.

*Division and Count of House.*

63. Upon a division and count of the House on any question, no person without the bar shall be counted.

*Explaining or Changing Vote*

64. No member shall be allowed to explain his vote or discuss the question while the ayes or noes are being called, and no member shall be allowed to change his vote after the vote is announced by the chair.

*Call of the House.*

65. Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

*Suspending and Changing Rules.*

66. No standing rule or order of the House shall be rescinded or changed without a vote of two-thirds of the members of the Assembly, and one day's notice being given of the motion therefor, *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes.

1 Bills affecting the state government, its revenue, its various departments or commissions, or appropriations therefor.

2 Bills affecting county and township governments, or roads and highways.

3 Bills affecting town, city, city and county governments, or the municipal affairs of the same.

4 Bills amending election or primary election laws.

5 Constitutional amendments.

6 Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so elected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed thereon.

A rule of order may be suspended temporarily by a vote of two-thirds of the members present, except that portion of Rule 7 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules.

The Committee on Rules may also, at any time, report a temporary rule or regulation. When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker.

*Members Absenting Themselves.*

67. No member shall absent himself from attendance at a session of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him, but no member shall obtain leave of absence, or be excused without a vote of two-thirds of the House, or by unanimous consent.

*Persons Admitted to the Floor*

68. No persons except Senators, state officers, Governors and ex-Governors of states, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, attachés when actually engaged in work for the Assembly or a member thereof, and the wife or child of a member, shall be admitted within the Assembly Chamber, except in the gallery, during the sessions of the Assembly; *provided, however*, any other guest of any member may be admitted to the floor of the Assembly, but to no other part of the floor than to a seat at the desk of said member, and *provided, also*, that such admission of said guest shall be only by written permission of said member, countersigned by the Speaker, such permission being good only for the sessions of the day on which it is given, the names of such member and guest to be entered in the Journal when specifically requested by such member. At the convening of the Assembly in the morning, or after recess, all

present except those covered by this rule shall retire from the floor of the Assembly. No one except the Sergeant-at-Arms or his deputies shall be allowed to remain in the lobby behind the rail at any time.

*Smoking in Assembly Chamber.*

69. No smoking shall be allowed within the Assembly Chamber during the session of the House; *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

*Parliamentary Rules.*

70. The rules of parliamentary practice contained in Robert's Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and Assembly.

*Use of Assembly Chamber.*

71. The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

*Fees for Witnesses.*

72. Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of three dollars, for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

*Protest of Members.*

73. It shall be in order for any member or members to protest against the action of the House, and have such protest entered in the Journal.

*Assignment of Attachés.*

74. The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have the authority to reassign any clerk or attaché under him to special duties or other committees when the necessity arises.

The Committee on Attachés, in co-operation with the Chief Clerk and Sergeant-at-Arms, shall exercise general supervision over and shall systematize the work of all attachés.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

*Introduction of Bills After Constitutional Recess.*

75. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three-fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

*Form for Printed Amended Bills*

76. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted, the new matter added by any amendments to be printed in italics and any matter proposed to be omitted by such amendments to be included in brackets.

*Duties of Chief Clerk.*

77. The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. He shall have the supervision of all the clerks and assistants at the desk, of all bill clerks, bill filers, stenographers, and of all committee attachés, and all pages, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such clerk or attaché under him for dereliction of duty, and shall report to the Committee on Attachés such suspension and the cause thereof. Said suspended clerk or attaché shall not receive any pay during the time of such suspension. The Committee on Attachés shall have the power to relieve the attaché or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attaché for incompetency or for wilful neglect of duty.

*Lobbying.*

78. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule.

This rule can not be suspended except by a two-thirds vote of the entire Assembly.

## RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. McPherson:

*Resolved*, That the Chief Clerk be and is hereby instructed to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency the Governor, dated Wednesday, January 5, 1916, and ready for the transaction of legislative business, with the following officers, to wit:

Honorable C. C. Young	Speaker
Honorable Howard J. Fish	Speaker pro tem
L. B. Mallory	Chief Clerk
Moses Stern	First Assistant Chief Clerk
Vincent G. Gelcich	Minute Clerk
Henry B. Miller	Sergeant-at-arms
Rev. James Whittaker	Chaplain

Resolution read, and on motion adopted.

By Mr. Widenmann:

*Resolved*, That a select committee of five be appointed by the Speaker, to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are in session, and in readiness to receive any communication which he may have to make.

Resolution read, and on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker announced the appointment of Messrs. Widenmann, Arnerich, Dennett, Kerr and Manning as such committee.

## RECESS.

At two o'clock and fifty-five minutes P. M., on motion of Mr. Ryan, the Assembly was declared at recess until three o'clock and five minutes P. M. of this day.

## REASSEMBLED.

At three o'clock and five minutes P. M., the Assembly reconvened. Speaker Young in the chair.

## REPORT OF SELECT COMMITTEE.

The committee appointed by the Speaker to wait upon the Governor appeared before the bar of the Assembly and reported that the Governor would, through his secretary, deliver a message to the Assembly.

## GOVERNOR'S MESSAGE.

The following message from the Governor was taken up and read:

**Message of Governor Hiram W. Johnson to the Legislature of the State of California, in Extraordinary Session, January 5, 1916.**

## EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

*To the Senate and Assembly:*

Under the power vested in me by the Constitution I have duly issued a call for an extraordinary session of the Legislature and have convened you for three specific purposes:

- 1 To amend the election laws of the State as specifically set forth in subdivisions 1 and 2 of the call.
- 2 To take such action as you may deem appropriate in reference to the San Francisco Normal School; and
- 3 To pass such laws as you deem essential in relation to the San Diego Exposition

## 1. THE ELECTION LAWS.

I take it that you are familiar with the condition, at once contradictory and confusing, of the election laws of the State, and the necessity for remedial legislation. At the last session of the Legislature, in 1915, four laws relating to elections were passed and these four constituted a harmonious and complete system. Against two of these laws the referendum was invoked, and these two measures, popularly designated the non-partisan bills, were, on the 26th day of October last, defeated. The two measures thus submitted to the people by referendum and rejected by the people were the bill relating to primary elections and that prescribing the form of ballot at the final election. The two bills, which were not attacked, and concerning which no referendum was invoked, were the registration bill and the presidential preference primary law. The question presented to the voters at the special election was clean cut and well defined, and that question was, whether or not the officials of the State required to be elected by the voters should be chosen in partisan or in non-partisan fashion. All of the persuasive endeavors of both sides of the controversy in the special election were directed solely to this question, and on the one side it was argued that our state officials should be elected without regard to partisanship, and on the other, the desirability of parties choosing candidates for state offices was earnestly advocated. The registration bill, under which the elector is not required to state his party affiliation, at the time of registration, was accepted by both sides, and acquiesced in by all the people of the State of California. Since August 10, 1915, it has been continuously the law of the State and is today the solemn enactment of both houses of the Legislature and of the executive branch of the government.

The primary law of 1913 continued in force because of the defeat of the law of 1915, at the special election, can not be operative if the registration law adopted and accepted by all the people of the State be enforced; and presented to us, therefore, is the problem, how shall election of state officers be made partisan and the laws that have been duly enacted and are in force today be preserved as well? It is obvious that we can no more rightfully disregard one law than another and that officials are bound to obey all the laws of the State. It is our plain duty, therefore, while recognizing the result of the recent special election and carrying out what those who then voted declared should be the policy of the State—the nomination and election by parties and in partisan fashion of candidates for state offices—to maintain and uphold a plain statute which has neither been questioned nor challenged, and which, up to this time, all of the people of the State of California have accepted and acquiesced in. Speedily and readily the result may be attained by the amendment of the primary law, and by this amendment, candidates for state offices will be nominated by political parties and will be elected wholly in partisan fashion, and the registration law will be preserved intact. The time of the declaration of party affiliation is simply changed from the time of registration to the time of the primary. This is neither a new nor a novel proceeding. It is the course pursued in the majority of the states having primary laws. Today, in states like Massachusetts, Idaho, Indiana, Michigan, Minnesota, West Virginia, Illinois, Wisconsin, Arizona, Colorado, Kansas, Missouri, Montana, and others, the voter declares his party affiliation at the time of the primary and surely it will not be argued that the election laws of these states are non-partisan. I repeat that by the amendment proposed to the primary law, every official required to be elected in the State will be nominated as the candidate of a political party and will be elected as a candidate of a political party. If this be

done, no man acting in good faith can ask more. If the registration law were today amended, the amendment could not take effect until ninety days after the adoption of the amendment. Registration is to commence on the first day of January, and to continue then for use at the presidential preference primary to be held on or about May 2d. It is important, therefore, that a registration law be in effect now and for the period required in order that there may be no more confusion hereafter. If any other reason were needed for upholding what we have solemnly enacted, and what today is the law, it is presented with unanswerable logic by the fact that we would but add to the confusion now existing and leave the election laws still uncertain and inoperative, for more than three months by an attempted amendment of the registration law.

In its larger sense, however, the reason for the amendment of the primary law is that by that amendment we do exactly what the majority who voted at the special election, October 26th, decreed should be done, and we maintain the law duly enacted and unanimously acquiesced in. There was not a single vote in the Senate of the State of California at the 1915 session cast against the registration law, nor was there a single vote cast in that body against the presidential preference primary law, and yet the presidential preference primary law then enacted with this unanimity, distinctly provided for the declaration of party affiliation at the primary itself and at no other time.

It is worse than a confusion of thought to say that the will of the people was expressed upon registration at the recent special election. This is not so. The will of the people upon registration was expressed by the representatives of the people at the legislative session of 1915, and thereafter expressed by all of the people in the failure of any to attack the registration law, or invoke against it the referendum. It is nothing short of misrepresentation to assert that the amendment of the primary law, in the manner suggested, makes the election system of the State non-partisan. The amendment suggested makes the election system of this State *partisan*. It makes a system by which the political parties of the State will nominate candidates for state offices. These candidates will then have their names printed on the official election ballot with their party designation and will be voted for as partisan candidates. To claim otherwise is to demonstrate either a poverty of intellect or the wilful design of misrepresentation.

It may be that other means could be devised for partisan nominations and partisan elections and that if time permitted, and no confusion would result, another mode might be presented to cure the existing defects. But whether other courses might be adopted, whether any mode could be suggested that would meet the approval of the most captious, the mode now suggested does do exactly the very thing desired—requires nomination of candidates by political parties and election of candidates as candidates of political parties in partisan fashion.

## 2 SAN FRANCISCO NORMAL SCHOOL

The San Francisco Normal School is occupying practically temporary quarters. The buildings are unsightly and unsafe. All of us who are familiar with the situation have long known that it was a question of but a brief period until an appropriation of some hundreds of thousands of dollars would be required for reconstruction, etc. Out of the beautiful Exposition that has just been concluded in San Francisco came a suggestion for the preservation of the California Building, and its acquisition by the State for the San Francisco Normal School. Sentimentally, the idea was enthusiastically received by all who are familiar with the location, but it was not until the trustees of the normal school, their expert engineer, and those interested in the preservation of the California Building presented the financial economy of the plan, and its advantages from a business standpoint, that I felt at liberty to submit the question to the Legislature for action.

The Panama-Pacific International Exposition, due to prudent, sagacious and very able management will realize a considerable sum for ultimate distribution among those who contributed its funds. Under the law creating the California Commission, thanks to the foresight of those who prepared the measure, it was provided that the State should receive the State's proportionate share of any moneys realized from the Exposition, and, subsequently, in conformity with the law, a contract was made by the State Commission with the Directors of the Exposition of like character. It is represented to me that a sum probably equalling a million dollars will ultimately be realized from the Exposition and the State will be entitled to its proportionate share of this sum.

The proposal in reference to the normal school is not to appropriate any money from the general fund at all and the finances of the State, therefore, will not be strained by consummating the plan. It is desired that the Normal School Trustees shall be given power to condemn the land upon which the California Building stands and land adjacent thereto, to remodel the California Building in accordance with the reports and estimates of the experts, to receive, if necessary, appropriate lands in exchange for funds due to the State from the Exposition, to change the site of the normal school from its present location to the California Building of the Exposition, and to dispose of the present site. The estimates submitted to me by the Normal School Trustees and their engineer for the modification of the California Building and its construction into a most beautiful state institution aggregate \$195,000, and the

purchase price of the real estate, it is asserted, ought not to exceed \$100,000. The condemnation proceedings must be commenced at once, and it is necessary therefore that the requisite authority be immediately given. The appropriation asked in the bill submitted is wholly from moneys which shall be returned from the Exposition to the State, and I reiterate that the general finances of the State are not touched at all.

I am not unmindful of the difficulties and obstacles which may preclude us from successfully carrying out the proposed design; but, in order that we may endeavor thus to consummate a plan at once appealing to our sentiment and business judgment, the powers asked must be accorded by the Legislature.

### 3 SAN DIEGO EXPOSITION

Californians may be very proud of the great International Exposition which has just been concluded at San Francisco. It marked an epoch in World's Expositions, and its marvels and its beauty were worthy of our State. The State dealt generously with the Exposition but the Exposition itself has more than justified the State's generosity. During the year 1915 California has had not only its great International Exposition at San Francisco but the remarkably beautiful Exposition at San Diego. I can not too highly commend the energy and the pluck of the city of San Diego in maintaining, as it has, an Exposition creditable and beneficial alike to that locality and to the State of California.

The San Diego Exposition will continue during the year 1916. In order that it may continue it asks the passage of the enabling act relating to Balboa Park, and it may be assumed that very readily this will be done.

In addition, a small measure of aid is asked now from the State; and from the same source as our funds for the San Francisco Normal School are obtained. I should very heartily favor an appropriation of this sort for the San Diego Exposition.

The subjects to which I have referred in this message are the only subjects that are before this extraordinary session of the Legislature. Purposely and designedly have I restricted the call within the narrowest possible limits. I say to you very frankly that I have endeavored by the statement of the matter in relation to the election laws to restrict you to the amendment of the primary law. I have done this after the most careful thought and consultation with those most familiar with the election machinery of the State, and because this amendment immediately dispels a confusion now existing, requires nominations of candidates for State offices by political parties and makes elections partisan in character, while not disturbing other laws in force. If we meet upon a common ground to make nominations and elections in the State partisan and to perform our sworn duty to uphold the laws as they exist, there can be occasion neither for bitter controversy nor long delay. The result, if the design be to make our elections partisan, may be attained in one brief day. Upon important subjects often in one day you have finally acted. Upon this subject, if all that is desired is desired is partisanship in our State elections and in our State nominations, we may act with celerity and the means are at hand. I would not, of course, suggest undue haste and would ask careful scrutiny and consideration of your legislation, but once it is clear that the object is attained by the amendment suggested, necessity no longer exists for a continuance of the session.

Dated, Sacramento, January 5, 1916.

HIRAM W. JOHNSON,  
Governor.

### INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Young: Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, etc.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 2—An act to amend sections 3, 6 and 9 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties.

Bill read first time, and referred to Committee on Elections.

By Messrs. Lyon and Bartlett: Assembly Bill No. 3—An act to amend sections 15, 16 and 17 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, etc.

Bill read first time, and referred to Committee on Elections.



By Mr. Manning: Assembly Concurrent Resolution No. 1—Relative to celebration in Marin County of Drake's landing.

Resolution read, and referred to Committee on Rules.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### REPORT OF COMMITTEE ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 5, 1916.

MR. SPEAKER Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith.

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance of county seat.	Miles from county seat, more or less	Miles from county seat.	Total mileage.	Amount at 10c per mile.
39	Anderson, Frank W.	Oakland, Alameda Co	84			168	\$16 80
35	Arneisen, Paul J	Alameda, Alameda Co	84	5		178	17 80
19	Ashley, George W	Stockton, San Joaquin Co.	48			96	9 60
77	Avey, William A	Riverside, Riverside Co.	512			1,024	102 40
63	Bartlett, Alfred L	Los Angeles, Los Angeles Co.	447			894	89 40
34	Beck, George	Livermore, Alameda Co	84	16		200	20 00
66	Benton, Richmond P	Los Angeles, Los Angeles Co.	447			894	89 40
12	Boude, Knox	Sebastopol, Sonoma Co.	90	7		194	19 40
43	Boyes, A E	Monterey, Monterey Co.	268	24		464	46 40
42	Brown, Henry Ward.	Cohna, San Mateo Co	119		20	198	19 80
47	Browne, Maurice B	Stanislaus, Tuolumne Co	125	25		300	30 00
11	Bruck, Bismaik	St Helena, Napa Co	61	17		159	15 60
76	Burke, Joe C	Santa Ana, Orange Co	481			962	96 20
29	Byrnes, James J	San Francisco, San Francisco Co	90			180	18 00
23	Canepa, Victor J	San Francisco, San Francisco Co	90			180	18 00
52	Cary, L B	Reedley, Fresno Co	169	24		386	38 00
72	Chamberlin, Harry A	Los Angeles, Los Angeles Co	447			894	89 40
14	Chenoweth, Walter W	Sacramento, Sacramento Co		1		2	20
24	Collins, W M	San Francisco, San Francisco Co	90			180	18 00
79	Conard, Grant	San Diego, San Diego Co	573			1,146	114 60
46	Dennett, Lewis J	Modesto, Stanislaus Co	77			154	15 40
73	Downing, George W	Los Angeles, Los Angeles Co	447			894	89 40
26	Edwards, Lawrence	Stockton, San Joaquin Co.	48			96	9 60
66	Edwards, Roger G	Satroy, Ventura Co	196	10		1,000	100 00
36	Finchell, Harry A	Oakland, Alameda Co	84			168	16 80
38	Ferguson, Daniel	Oakland, Alameda Co.	84			168	16 80
67	Fish, Howard J	Pasadena, Los Angeles Co	447	9		912	91 20
15	Gebhardt, Lee	Sacramento, Sacramento Co		1		2	20
40	Gelder, George	Berkeley, Alameda Co	84			168	16 80
53	Goddil, Chas W	San Francisco, San Francisco Co	90			180	18 00
26	Harris, W W	Bakersfield, Kern Co.	278			556	55 60
51	Hawson, Henry	Fresno, Fresno Co	169			338	33 80
45	Hayes, D R	San Jose, Santa Clara Co	128			256	25 60
26	Hayes, J J	San Francisco, San Francisco Co	90			180	18 00
57	Johnson, Geo H	San Bernardino, San Ber dino Co	568			1,136	113 60
56	Judson, Fred F	Esccondido, San Diego Co	573		8	1,139	113 00
22	Kennedy, Wm P	San Francisco, San Francisco Co	90			180	18 00
16	Keri, Robert I	Jackson, Amador Co	59			118	11 80
59	Kramer, Ira E	Santa Barbara, Santa Barbara Co.	490			980	98 00
54	Long, W A	Hanford, Kings Co	214	36		428	42 80
68	Lottutler, L L	Pomona, Los Angeles Co	447	32		958	95 80
62	Lyon, Chas W	Venice, Los Angeles Co	447	18		930	93 00
3	McCray, C C	Redding, Shasta Co.	171			342	34 20
28	McDonald, J J	San Francisco, San Francisco Co	90			180	18 00
21	McDonald, Walter A	San Francisco, San Francisco Co	90			180	18 00
75	McKnight, Jas. S	Los Angeles, Los Angeles Co	447			894	89 40

District	Name	Address	Instance of county seal.	Miles from county seat more	Miles from county seat less	Total mileage	Amount at 10c per mile.
43	McPherson, H E	Santa Cruz, Santa Cruz Co	148			396	\$39 60
17	Manning, J E	San Anselmo, Marin Co	105	2		214	21 40
30	Marrion, Jos E	San Francisco, San Francisco Co	90			180	18 00
7	Meek, B B	Oroville, Butte Co	86			172	17 20
74	Mouser, Frank H	Los Angeles, Los Angeles Co	447			894	89 40
6	Pettis, J A	Fort Bragg, Mendocino Co	150	66		432	43 20
55	Phelps John S	Redlands, San Bernardino Co.	508	9		1,034	103 40
65	Phillips, Peter C	Los Angeles, Los Angeles Co	447			894	89 40
27	Prendegast, N J	San Francisco, San Francisco Co	90			180	18 00
2	Quinn, John F	Eureka, Humboldt Co.	312			624	62 40
1	Ream, H B	Sisson, Siskiyou Co	295	46		448	44 80
53	Rigdon, E S	Cambria, San Luis Obispo	343	35		756	75 60
32	Rodgers, Frank N.	San Francisco, San Francisco Co	90			180	18 00
70	Rominger, Jos. A	Long Beach, Los Angeles Co	447	22		938	93 80
23	Ryan, James J.	San Francisco, San Francisco Co.	90			180	18 00
13	Salisbury, Geo W	Santa Rosa, Sonoma Co	90			180	18 00
37	Satterwhite Wm T	Oakland, Alameda Co.	84			168	16 80
31	Schmitt, Milton L.	San Francisco, San Francisco Co.	90			180	18 00
64	Scott, Chas F	Los Angeles, Los Angeles Co	447			894	89 40
55	Scott, Fred C	Visalia, Tulare Co.	206			412	41 20
4	Shartel, A F	Alturas, Modoc Co		1		2	20
18	Sharkey, Wm. R.	Martinez, Contra Costa Co	62			124	12 40
5	Sisson, Elmer L	Red Bluff, Tehama Co	135			270	27 00
71	Spengler Lewis A	Los Angeles, Los Angeles Co	447			894	89 40
8	Tabler, L N.	Knights Landing, Yolo Co	23	12		70	7 00
16	Widenmann, H J	Vallejo, Solano Co	40	19		118	11 80
78	Wills, Robert E	Brawley, Imperial Co	661	14		1,294	129 40
51	Wishard Harry A	Los Angeles, Los Angeles Co	447			894	89 40
69	Wright, Henry W	South Pasadena, Los Angeles Co	447	8		910	91 00
44	Wright, T M	San Jose, Santa Clara Co.	128			256	25 60
41	Young, C C	Berkeley, Alameda Co	84				16 80

## OFFICERS.

L. B. Mallory	Los Gatos, Santa Clara Co		1		20
Vincent G. Geleick	Los Angeles, Los Angeles Co	447		894	89 40
H. B. Miller	Sacramento, Sacramento Co.		1		20

McDONALD, J. J., Chairman.  
BYRNES.  
FERGUSON.

The above report was ordered printed in the Journal

## ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Mr. Fish, the Assembly was declared adjourned until nine o'clock and thirty minutes A. M. of Thursday, January 6, 1916

## IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,  
Thursday, January 6, 1916

At nine o'clock and thirty minutes a m., pursuant to adjournment, the Assembly was called to order

Hon C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Bonde, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chamberlain, Chenoweth, Collins, Conrad, Dennett, Downing, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Keir, Kramer, Long, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—76

Quorum present

LEAVE OF ABSENCE.

On motion of Mr. Rigdon, Mr McCray was granted leave of absence on account of sickness.

PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Satterwhite, its further reading was dispensed with

ASSISTANT CLERK WENDING READING.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated.

By Mr. Ryan: Assembly Bill No. 4—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California and its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read first time, and referred to Committee on Ways and Means and Normal Schools

Also: Assembly Bill No. 5—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school, to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be

paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Bill read first time, and referred to Committee on Ways and Means and Normal Schools.

Also: Assembly Bill No. 6—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California.

Bill read first time, and referred to Committee on Ways and Means and Normal Schools.

By Mr. Burke: Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Mr. Conard: Assembly Bill No. 8—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State building at the Panama-California International Exposition.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 9—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Bill read first time, and referred to Committee on Ways and Means

#### ANNOUNCEMENT.

The following announcement was made:

By Mr Speaker:

*To the Members of the Assembly, State of California:*

I beg leave to announce that pursuant to section 247 of the Political Code, and upon the recommendation of Committee on Attaches, I hereby appoint the following named page at the per diem provided by law; to date from and include Thursday, January 6, 1916.

C. E. Duhain.

#### RESOLUTIONS.

The following resolutions were offered:

By Mr. Shartel:

*Resolved.* That the Controller is hereby authorized and directed to draw his warrant upon the fund for payment of officers and employees of the Assembly in favor of the following named persons for the sums set opposite their respective names and the Treasurer is directed to pay the same; said amount being in payment for one day's services prior and incident to the convening of the present extraordinary session of the Assembly:

H B Miller, Sergeant-at-Arms.....	\$8 00
Vincent G Gelcich, Minute Clerk.....	9 00

Mr. Shartel moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Byrnes, Chamberlin, Conard, Dennett, Downing, Edwards, R G., Encell, Ferguson, Fish, Harris, Hawson, Hayes, D. R., Hayes, J. J., Kennedy, Kerr, Kramer, Los-tutter, Lyon, Manning, McDonald, J. J., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Sharkey, Shartel, Spengler, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—52

NOES—Browne, M. B.—1.

Also:

*Resolved*, that the action of L. B. Mallory, Chief Clerk, in employing necessary assistance after the organization of the Assembly, to perform their respective duties is hereby approved and ratified and the Controller is hereby authorized and directed to draw his warrants upon the fund for the payment of officers and employees in favor of the following named persons and the Treasurer is authorized to pay the same:

Miss Gertrude B. Sears, Stenographer.....	\$5 00
Rob't Greer, Assistant Sergeant-at-Arms.....	5 00
E P Hannon, Doorkeeper.....	3 00
John McTiernan, Doorkeeper.....	3 00
Nat Haslett, Cloakroom Attendant.....	3 00
C. E. Dubain, Page.....	2 50

Mr. Shartel moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Browne, M. B., Chamberlin, Collins, Conard, Dennett, Downing, Edwards, R. G., Encell, Ferguson, Fish, Harris, Hawson, Hayes, D. R., Hayes, J. J., Kennedy, Kramer, Long, Lostutter, Manning, McDonald, J. J., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Sharkey, Shartel, Spengler, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—51

NOES—None.

By Mr. Encell:

*Resolved*, That the Controller be authorized and directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, and the Treasurer is directed to pay the same, for the sum of fifteen (\$15 00) dollars. Said amount to be used as a revolving fund for use in Assembly Post Office, for purchase of stamps, postals, etc.

Mr. Encell moved the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Beck, Benton, Browne, M. B., Cary, Chamberlin, Chenoweth, Collins, Downing, Edwards, R. G., Ferguson, Fish, Gelder, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Kerr, Kramer, Long, Lostutter, Lyon, Manning, McDonald, J. J., McDonald, Walter A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Sharkey, Shartel, Sisson, Spengler, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—52.

NOES—None.

Also:

*Resolved*, That the Chief Clerk of the Assembly or the Sergeant-at-Arms of the Assembly be and they are hereby authorized to receipt to the Controller for any and all warrants for payment to members, officers and attaches of the Assembly.

Resolution read, and on motion adopted.

#### RECESS.

At ten o'clock and fifteen minutes a.m., the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

#### REASSEMBLED

At two o'clock and thirty minutes p.m. the Assembly reconvened.  
Speaker Young in the chair.

#### REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ATTACHES AND EMPLOYEES.

#### ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1916

MR. SPEAKER Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution.

*Resolved*, That the following named persons be and they are hereby appointed

and employed for the positions, at the per diem set opposite their respective names, said per diem to be paid out of the fund for payment of officers and employees of the Assembly. Said appointments to date from and including the 6th day of January, 1916, and the Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same; namely:

J. O. Hestwood	Engrossing and Enrolling Clerk	\$7.00
Robert E. Greer	Assistant Sergeant-at-Arms	5.00
Miss Gertrude B. Sears	Stenographer	5.00
Miss Clara Morrill	Stenographer	5.00
Mrs. Bessie Smith	Stenographer	5.00
Miss Josephine Gross	Stenographer	5.00
Nat. Haslett	Committee Clerk	4.00
Harry Vacher	Committee Clerk	4.00
L. B. Gross	Committee Clerk	4.00
Miss Ada Ford	Postmistress	4.00
E. P. Hannon	Doorkeeper	3.00
John McTierman	Doorkeeper	3.00
Jack Judge	Clockroom Attendant	3.00

Mr. Shartel moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ashley, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward, Bruck, Byrnes, Canepa, Cary, Chamberlin, Collins, Conard, Dennett, Downing, Edwards, L. Encell, Ferguson, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Judson, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, Mouser, Phelps, Quinn, Rigdon, Rodgers, Rominger, Ryan, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sisson, Widenmann, Wills, Wright, T. M., and Mr. Speaker—52.

NOES—None

#### COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 6, 1916

MR. SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to part II, title III, and section 237 of the Political Code, and recommends the adoption of the resolution herewith.

*Resolved.* That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

Dist.	Name	Address	Distance of county seat.	Miles from county seat.	Miles from Assembly seat.	Total mileage.	Amount at the per mile.
39	Anderson, Frank W.	Oakland, Alameda Co.	84			168	\$16 80
45	Arnerich, Paul J.	Alameda, Alameda Co.	84	5		178	17 80
19	Ashley, George W.	Stockton, San Joaquin Co.	48			96	9 60
77	Avey, William A.	Riverside, Riverside Co.	512			1,024	102 40
63	Bartlett, Alfred L.	Los Angeles, Los Angeles Co.	447			894	89 40
34	Beck, George	Livermore, Alameda Co.	84	16		260	26 00
66	Benton, Richmond P.	Los Angeles, Los Angeles Co.	447			894	89 40
12	Boude, Knox	Sebastopol, Sonoma Co.	90	7		194	19 40
48	Boyce, A. E.	Monterey, Monterey Co.	208	24		464	46 40
42	Brown, Henry Ward.	Colma, San Mateo Co.	119		20	188	18 80
47	Blowse, Maurice B.	Stamslaus, Tuolumne Co.	125	25		300	30 00
11	Bruck, Bismark	St. Helena, Napa Co.	61	17		156	15 60
76	Burke, Joe C.	Santa Ana, Orange Co.	481			962	96 20
29	Byrnes, James J.	San Francisco, San Francisco Co.	90			180	18 00
23	Canepa, Victor J.	San Francisco, San Francisco Co.	90			180	18 00
52	Cary, L. B.	Reedley, Fresno Co.	169	24		356	35 60
72	Chamberlin, Harry A.	Los Angeles, Los Angeles Co.	447			894	89 40
14	Chenoweth, Walter W.	Sacramento, Sacramento Co.		1		2	20
24	Collins, W. M.	San Francisco, San Francisco Co.	90			180	18 00
79	Conard, Grant	San Diego, San Diego Co.	573			1,146	114 60
46	Dennett, Lewis L.	Modesto, Stanislaus Co.	77			154	15 40
73	Downing, George W.	Los Angeles, Los Angeles Co.	447			894	89 40

District	Name	Address	Distance of county seat	Miles from county seat, more	Miles from county seat, less	Total mileage	Amount at 10c per mile
20	Edwards, Lawrence	Stockton, San Joaquin Co	48			96	\$9 60
60	Edwards, Roger G	Saticoy, Ventura Co	490	10		1,000	100 00
36	Incehl, Harry A	Oakland, Alameda Co	84			168	16 80
38	Ferguson, Daniel	Oakland, Alameda Co	84			168	16 80
67	Fish, Howard J	Pasadena, Los Angeles Co	447	9		912	91 20
15	Gebhart, Lee	Sacramento, Sacramento Co		1		2	20
40	Gebler, George	Berkeley, Alameda Co	84			168	16 80
25	Godsil, Chas W	San Francisco, San Francisco Co	90			180	18 00
56	Harris, W W	Bakersfield, Kern Co	278			556	55 60
51	Hawson, Henry	Fresno, Fresno Co	169			338	33 80
45	Hayes, D R	San Jose, Santa Clara Co	128			256	25 60
26	Hayes, J J	San Francisco, San Francisco Co	90			180	18 00
57	Johnson, Geo H	San Bernardino, San Bernardino Co	503			1,016	101 60
80	Judson, Fred E	Escondido, San Diego Co	573		8	1,130	113 00
22	Kennedy, Wm P	San Francisco, San Francisco Co	90			180	18 00
16	Kerr, Robert I	Jackson, Amador Co	79			118	11 80
79	Kramer, Ira E	Santa Barbara, Santa Barbara Co	460			920	92 00
54	Long, W A	Hanford, Kings Co	214	36		428	42 80
68	Lostutter, L L	Pomona, Los Angeles Co	447	32		958	95 80
2	Lyons, Chas W	Venice, Los Angeles Co	447	18		930	93 00
3	McCray, C O	Redding, Shasta Co	171			342	34 20
28	McDonald, J J	San Francisco, San Francisco Co	90			180	18 00
21	McDonald, Walter A	San Francisco, San Francisco Co	90			180	18 00
75	McKnight, Jas S	Los Angeles, Los Angeles Co	447			894	89 40
43	McPherson, H E	Santa Cruz, Santa Cruz Co	198			396	39 60
17	Manning, J E	San Anselmo, Marin Co	105	2		214	21 40
30	Marron, Jos E	San Francisco, San Francisco Co	90			180	18 00
7	Meek, B B	Oroville, Butte Co	86			172	17 20
74	Mouser, Frank H	Los Angeles, Los Angeles Co	447			894	89 40
6	Pettus, J A	Fort Bragg, Mendocino Co	150	66		432	43 20
38	Phelps, John S	Redlands, San Bernardino Co	508	9		1,034	103 40
65	Phillips, Peter C	Los Angeles, Los Angeles Co	447			894	89 40
27	Prendergast, N J	San Francisco, San Francisco Co	90			180	18 00
2	Quinn, John F	Fureka, Humboldt Co	812			624	62 40
1	Ream, H B	Sisson, Siskiyou Co	295		46	498	49 80
53	Ragdon, E S	Cambria, San Luis Obispo	343	25		736	73 60
32	Rodgers, Frank N	San Francisco, San Francisco Co	90			180	18 00
70	Rommigel, Jos A	Long Beach, Los Angeles Co	447	22		938	93 80
23	Ryan, James J	San Francisco, San Francisco Co	90			180	18 00
13	Salsbury, Geo W	Santa Rosa, Sonoma Co	90			180	18 00
37	Satterwhite, Wm T	Oakland, Alameda Co	84			168	16 80
31	Schmitt, Milton L	San Francisco, San Francisco Co	90			180	18 00
64	Scott, Chas E	Los Angeles, Los Angeles Co	447			894	89 40
55	Scott, Fred C	Visalia, Tulare Co	206			412	41 20
4	Shartel, A F	Alturas, Modoc Co		1		2	20
15	Sharkey, Wm R	Martinez, Contra Costa Co	62			124	12 40
5	Sisson, Elmer L	Red Bluff, Tehama Co	135			270	27 00
71	Spongler, Lewis A	Los Angeles, Los Angeles Co	447			894	89 40
5	Tabler, L N	Knights Landing, Yolo Co	23	12		70	7 00
10	Widenmann, H J	Vallejo, Solano Co	40	19		118	11 80
78	Wills, Robert F	Brawley, Imperial Co	661		14	1,204	120 40
51	Wishard, Harry A	Los Angeles, Los Angeles Co	447			894	89 40
69	Wright, Henry W	South Pasadena, Los Angeles Co	447	8		910	91 00
44	Wright, T M	San Jose, Santa Clara Co	128			256	25 60
41	Young, C C	Berkeley, Alameda Co	84				16 80

## OFFICERS.

L B Mullory	Los Gatos, Santa Clara Co	1	2	20
Vincent G Geleach	Los Angeles, Los Angeles Co	447	894	89 40
H B Miller	Sacramento, Sacramento Co	1	2	20

McDONALD, J J, Chairman  
BYRNES  
FERGUSON.

Mr. McDonald, J. J., moved the adoption of the report and resolution. The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ashley, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward, Bruck, Burke, Byrnes, Canepa, Chamberlin, Collins, Conard, Dennett, Ferguson, Gelder, Godsil, Harris, Hawson, Hayes, D. R. Hayes, J. J. Judson, Kennedy, Long, Lostutter, Lyon, Manning, McDonald, J. J. McDonald, W. A. Mouser, Phelps, Quinn, Rigdon, Rodgers, Rominger, Ryan, Satterwhite, Schmitt, Scott, Chas. E. Scott, Fred C. Sisson, Spengler, Widenmann, Wills, Wisbard, and Mr. Speaker—46.  
 NOES—None.

#### COMMITTEE ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1916

MR. SPEAKER Your Committee on Elections, to which was referred Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions, etc.";:

Also Assembly Bill No. 2—An act to amend sections three, six, nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties". Has had the same under consideration, and respectfully reports the same back and recommends that they do pass

RYAN, Chairman

The above reported bills ordered on file for second reading

#### SPECIAL SECOND READING FILE.

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen

Bill read second time, and ordered to engrossment and third reading.



## ANNOUNCEMENT

The following announcement was made:

By Mr Speaker:

*To the members of the Assembly, State of California:*

I beg leave to announce pursuant to section 247 of the Political Code, and on the recommendation of the Committee on Attaches, I hereby appoint the following named page at the per diem provided by law, to date from and include Thursday, January 6, 1916.

John Hayes.

## COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1916.

MR SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as the representatives of the newspapers set opposite their respective names

Oakland Enquirer-----	George Daniels
Los Angeles Tribune-----	Leslie Davies
Los Angeles Times-----	S Fred Hogue
Sacramento Bee-----	J. E. Langdon H R McLaughlin, Carlos McClatchy,
John L. Davis, Robert E. Jones, A V. Buell, and Harold Thompson	
Sacramento Union-----	George Collins, H. C. Jackson, Neil McCall
Sacramento Star-----	Irving Engler
San Francisco Bulletin-----	Frank R. Havener
San Francisco Chronicle-----	F R Hinkle
San Francisco Examiner-----	Al Murphy, Phil Kinsley, Tom Brown
United Press-----	Irving Engler, James Walsh

## ADJOURNMENT.

At six o'clock and fifteen minutes p.m., on motion of Mr. McDonald, Walter A., the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes a.m. of Friday, January 7, 1916

## IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,

Friday, January 7, 1916.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Waid; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, Lawrence, Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wulenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr Speaker—77

Quorum present.

## PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

## READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser its further reading was dispensed with.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## COMMITTEE ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER Your Committee on Elections, to which was referred Assembly Bill No. 3—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice-President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do not pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading

Also:

SACRAMENTO, January 7, 1916.

MR. SPEAKER Your Committee on Elections, to which was referred Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

The Speaker commenced a statement as to the course he should pursue as to the admissibility to second reading of the bills included in the report of the committee on elections.

## POINT OF ORDER

Mr. Brown, Henry Ward, rose to the following point of order: "That the Speaker should not discuss from the chair the merits of any question and that inasmuch as the bills in question had been introduced and no objection made, that they were now the property of the house."

## POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

Mr. Brown appealed from the decision of the Speaker.

Mr. Schmitt seconded the appeal.

Pending the vote upon the appeal the Speaker made the following statement:

The Speaker asked leave to complete his statement, saying that he was on the point of calling for the second reading of these two bills; that when they were first introduced he had not ruled them out of order as unconstitutional under the Governor's call for the extraordinary session, for the reason that he did not then know what they contained;

that it was not his purpose to rule them out of order on the second reading for the same reason; but that he would order them to second reading without prejudice to any ruling he might be obliged to make on third reading, should he find on investigation that the bills might not properly and constitutionally come before the Assembly.

#### APPEAL WITHDRAWN.

Thereupon Mr. Brown, Henry Ward, asked the consent of the house to withdraw his motion inasmuch as he had not fully understood the Speaker's intention in the beginning of his statement

#### SECOND READING FILE.

Assembly Bill No 3—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7. 1911, known as the Direct Primary Law, and also to repeal the act approved December 24. 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

#### COMMITTEE AMENDMENTS.

During second reading of bill, the following amendments were submitted by the committee:

##### AMENDMENT NUMBER ONE

Strike out the word "fifteen" in line 2 of the title of the printed bill.

##### AMENDMENT NUMBER TWO

Strike out the word "fifteen" in line 1, page 1 of the printed bill.

##### AMENDMENT NUMBER THREE.

Strike out all of lines 13 to 37, inclusive, of page 2, and lines 1 to 28, inclusive, page 3 of the printed bill.

##### AMENDMENT NUMBER FOUR.

On page 4, line 3, of the printed bill following the period after the figure seventeen, add the following:

"At the time of registering and of transferring registration, in all places where the primary election law is in force, each elector shall declare the name of the political party with which he intends to affiliate at the ensuing primary election or elections, and the name of such political party shall be stated in the affidavit of registration and the index thereto. If the elector declines to state the fact, the fact of such declination shall likewise be stated and no person shall be entitled to vote at any primary election (by virtue of such registration) unless he has stated the name of the political party with which he intends to affiliate at the time of such registration. Nor shall he be permitted to vote on behalf of any other than the party so designated in the registration.

In case any elector shall have declined to designate, or shall have changed his political affiliation prior to the close of registration for primary elections, he is entitled to have such changes recorded prior to the close of said registration, upon

application to the county clerk or registrar of voters. In case any elector shall have declined to designate, or shall have changed his political affiliations prior to the close of registration, he may appear in person before the county clerk or registrar of voters at the office of the county clerk or registrar of voters, and not elsewhere, and make affidavit substantially in the following form

STATE OF CALIFORNIA,

County of \_\_\_\_\_ } ss.

\_\_\_\_\_ being duly sworn, deposes and says that he is registered on the great register of the said county of \_\_\_\_\_ as a \_\_\_\_\_ (insert former party affiliation or that he had declined to designate his party affiliation): that since the date of such registration he has changed his political views and in good faith declares his affiliation with the \_\_\_\_\_ party.

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_.

The county clerk or registrar of voters shall take such affidavit without charge, and shall file the same."

#### AMENDMENT NUMBER FIVE.

On page 4, line 5 of the printed bill, after the word "by" add the following: "section 1006 of the Political Code and".

Amendments adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

Bill read second time, and ordered to engrossment and third reading.

#### REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

#### ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An Act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act", approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof;

Also Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 23, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen;

And reports the same correctly engrossed

PHELPS, Chairman.

#### INTRODUCTION AND REFERENCE OF RESOLUTION.

The following resolution was introduced and referred as indicated:

By Mr. Johnson: Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of

Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

Read, and considered without reference to committee.

#### SPECIAL ORDER SET.

On motion of Mr. Johnson the consideration of Assembly Concurrent Resolution No. 2 was made a special order for Saturday, January 8, 1916; under heading Special Orders.

#### INTRODUCTION AND REFERENCE OF RESOLUTIONS—(RESUMED).

The following resolutions were introduced and referred as indicated:

By Mr. Ryan: Assembly Concurrent Resolution No. 3—Relative to the commission for relief in Belgium.

Read, and referred to Committee on Rules.

By Mr. Widenmann: Assembly Joint Resolution No. 1—Relative to a petition to the Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island Navy Yard.

Read, and considered without reference to Committee.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ONE

Assembly Joint Resolution No. 1—Relative to a petition to the Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island Navy Yard.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boudé, Boyce, Brown, Henry Ward, Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chamberlain, Chenoweth, Collins, Conard, Dennett, Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Gossil, Hawson, Hayes, D. R., Hayes, J. J., Judson, Kennedy, Kerr, Kramer, Long, Lustutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wright, H. W., Wright, T. M., and Mr. Speaker—69.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 1 ordered transmitted to the Senate.

#### ASSEMBLY JOINT RESOLUTION NUMBER ONE.

WHEREAS, The Honorable Secretary of the Navy has, in recognition of the industry, zeal, efficiency and skill of the officials and mechanics of the Mare Island Navy Yard, comprising in the several ranks, citizens of all sections of California, and of the splendid record made by such citizens in saving large sums of money for the Federal government in the construction of vessels for the United States Navy, thus showing the highest degree of civic patriotism, by assigning to that navy yard the construction of battleship No. 44, which is designed to be the equal of any war vessel afloat and which will when completed, carry the American flag with honor to every section of the world and in so doing serve as an exemplar of the skill and fidelity of the workmen who will have contributed to her construction, be it

*Resolved by the Assembly and the Senate Jointly,* That the Honorable Secretary of the Navy be respectfully petitioned to change the name of battleship No. 40, now building at the New York Naval Station and designated as "California," to

some other appropriate name, that the name "California" may be assigned to battleship No. 44 which is to be constructed in this State, by the workmen of this State, and will ever prove a source of inspiration to the patriotism and pride of the people of California by giving them a more direct interest in our navy, which constitutes the first line of the national defense—be it further

*Resolved* That the thanks of the people of California be extended to the Honorable Secretary of the Navy for the action showing his confidence in the capability of California workmen.

The Chief Clerk is directed to transmit copies of this joint resolution to the Honorable Secretary of the Navy.

ASSISTANT CLERK WENDERING READING.

#### SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

Senate Concurrent Resolution No. 3 read, considered without reference to committee

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium—on motion of Mr. Ryan, was adopted and ordered transmitted to the Senate.

#### SENATE CONCURRENT RESOLUTION NUMBER THREE.

Relative to the commission for relief in Belgium.

WHEREAS The commission for relief in Belgium has been and now is engaged in furnishing clothing and food to the destitute inhabitants of Belgium by and with the approval and consent of the civil and military authorities of England and Germany; and

WHEREAS The great humanitarian work of that commission is strictly neutral, and, at the request of President Woodrow Wilson, many prominent men of the United States have accepted membership on the committee to raise funds in the United States; now, therefore,

*Be it resolved by the Senate of the State of California, the Assembly concurring.* That the humanitarian efforts of the commission for relief in Belgium in sending succor and relief for the destitute people of Belgium be and the same are hereby endorsed by the Legislature of the State of California.

HON. HOWARD J. FISH IN THE CHAIR.

At eleven o'clock and forty minutes a m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

#### SPECIAL THIRD-READING FILE

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913,

by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

During third reading of the bill, Mr. Hawson moved that the Speaker appoint a Select Committee of One to make the following amendment to the bill.

#### AMENDMENT.

In line 15 of the title of the printed bill, after the word "sections" strike out all of the remainder of said line.

In line 16 of the title of the printed bill, strike out the word "thirteen" and the comma following said word.

In line 16 of the title of the printed bill, after the word "sixteen" insert the word "and"

In line 16 of the title of the printed bill, after the word "seventeen" strike out the comma and the remainder of said line.

In lines 17 and 18 of the title of the printed bill, strike out all of said lines down to and including the word "thirty-three", in line 18.

On page 1 of the printed bill, strike out all of lines 1 and 2 and all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and on page 20, all of lines 1 to 22 inclusive.

On page 20 of the printed bill beginning with line 23, strike out the remainder of said page, and all of pages 21, 22, 23, 24, 25, 26, 27 and 28, inclusive.

On page 29 of the printed bill, strike out all of lines 1 to 37, inclusive.

On page 30 of the printed bill, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 1. Section sixteen of said act is hereby amended to read as follows:

"Sec. 16. Any elector offering to vote at a primary election may be challenged by any elector of the city, city and county or county, upon either or all of the grounds specified in section one thousand two hundred thirty of the Political Code, but his right to vote the primary election ticket of the political party designated in his affidavit of registration, as provided by this act, or his right to vote the nonpartisan primary ticket providing no such party is so designated, shall not be challenged on any ground or subjected to any tests other than those provided by the constitution and section one thousand two hundred thirty of the Political Code of this state."

On page 30 of the printed bill strike out lines 19 to 35, inclusive, and on page 31 strike out all of lines 1 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 17. At the time of registering and of transferring registration, in all places where the primary election law is in force, each elector shall declare the name of the political party with which he intends to affiliate at the ensuing primary election or elections, and the name of such political party shall be stated in the affidavit of registration and the index thereto. If the elector declines to state the fact, the fact of such declination shall likewise be stated and no person shall be entitled to vote at any primary election (by virtue of such registration) unless he has stated the name of the political party with which he intends to affiliate at the time of such registration. Nor shall he be permitted to vote on behalf of any other than the party so designated in the registration. In case any elector shall have declined to designate, or shall have changed his political affiliation prior to the close of registration for primary elections, he is entitled to have such change recorded prior to the close of said registration, upon application to the county clerk or registrar of voters. In case any elector shall have declined to designate, or shall have changed his political affiliations prior to the close of registration, he may appear in person before the county clerk or registrar of voters at the office of the county clerk or registrar of voters, and not elsewhere, and make affidavit substantially in the following form.

STATE OF CALIFORNIA, )  
County of \_\_\_\_\_ ) ss

\_\_\_\_\_ being duly sworn, deposes and says that he is registered on the great register of the said county of \_\_\_\_\_ as a \_\_\_\_\_ (insert former party affiliation or that he had declined to designate his party affiliation) that since the date of such registration he has changed his political views and in good faith declares his affiliation with the \_\_\_\_\_ party.

"Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 191\_\_\_\_\_.

"The county clerk or registrar of voters shall take such affidavit without charge, and shall file the same."

Any elector qualified to take part in any primary election who has, at least thirty days before the day of such primary election, qualified by registration, as provided by section 1096 of the Political Code and this act, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinbefore provided; and shall, on writing his name or having it written for him on the roster, as provided by law for general elections in this State, receive the official primary election ballot of the political party designated in his affidavit of registration; or the nonpartisan ballot, providing no such party was so designated, and no other; *provided, however*, that no one shall be entitled to vote at any primary election who has not been a resident of the state one year, and of the county ninety days, preceding the day upon which such primary election is held. He shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

On page 31 of the printed bill strike out all of lines 27 to 37, inclusive, and also strike out pages 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46.

#### POINT OF ORDER.

Mr. Young rose to the following point of order:

"That the amendment offered by Mr. Hawson is not admissible before this special session on the ground that it involves and includes a subject of legislation not specified in the proclamation of the Governor calling such special session."

#### POINT OF ORDER WELL TAKEN.

The Speaker pro tem ruled the point of order well taken

Mr. Hawson appealed from the decision of the Speaker pro tem

Mr. Brown, Henry Ward, seconded appeal.

#### HOOR OF RECESS EXTENDED.

At twelve o'clock m., on motion of Mr. Young, the hour of recess was extended until one o'clock p.m.

The question is "Shall the decision of the Chair stand as the judgment of the Assembly?"

#### RECESS.

At one o'clock p.m. the Assembly was declared at recess until two o'clock p.m. of this day.

#### REASSEMBLED.

At two o'clock p.m. the Assembly reconvened

Speaker pro tem. Hon. Howard J. Fish in the chair

#### MOTION

Mr. Schmitt moved that Mr. Hawson be extended more time to finish his debate

Motion carried

The question is, "Shall the decision of the Chair stand as the judgment of the Assembly?"

Roll call regularly demanded

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Arnerich, Aver, Boudé, Burke, Byrnes, Canepa, Collins, Dennett, Encell, Ferguson, Fish, Gelder, Gedsil, Harris, Hayes, J. J. Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight,



McPherson, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Scott, F. C. Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—42.

NOES—Messrs. Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward Brown, M. B. Bruck, Cary, Chamberlin, Downing, Edwards, R. G., Hawson, Hayes, D. R., Keir, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E., and Spengler—30.

#### MOTION.

Mr. Hawson moved that his amendment to Assembly Bill No. 1 be ordered printed in the Journal.

Motion carried.

#### INTRODUCTION AND REFERENCE OF RESOLUTION—(OUT OF ORDER).

The following resolution was introduced and referred as indicated:

By Mr. Wright, H. W.: Assembly Joint Resolution No. 2—Relative to Federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the State in which such institutions are located.

Read, and referred to Committee on Federal Relations.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

During third reading of the bill, Mr. Spengler moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

#### AMENDMENT NUMBER ONE.

On page 17, line 27, strike out the word "everything" in section 5 after "7" in line 27, and insert in lieu thereof the following: "No filing fee shall be required of any candidate."

Roll call regularly demanded by Messrs. Bartlett, Spengler and Downing.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Beck, Benton, Browne, M. B. Bruck, Burke, Cary, Downing, Lostutter, Manning, Phillips and Spengler—11.

NOES—Messrs. Anderson, Auerich, Avey, Bartlett, Boude, Brown, Henry Ward Byrnes, Canepa, Chamberlin, Chenoweth, Collins, Edwards, Lawrence, Encell, Fish, Gebhart, Gelder, Godsil, Hawson, Hayes, D. R., Hayes, J. J., Judson, Krumer, Long, Marron, McCray, McDonald, J. J., McDonald, Walter A., McKnight, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Schmitt, Scott, Chas E., Scott, Fred C., Sharkey, Shartel, Sisson, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—47.

#### REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

#### ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 7—An Act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters—and reports that the same has been correctly engrossed.

PHELPS, Chairman.

Also:

SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State—and reports that the same is considered engrossed.

PHELPS, Chairman.

## SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted *Assembly Joint Resolution No. 1—Relative to a petition to the Honorable Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at the Mare Island Navy Yard.*

EDWIN F. SMITH, Secretary of Senate.  
J. W. KAVANAGH, Assistant Secretary.

Assembly Joint Resolution No. 1 ordered to enrollment.

Also:

SACRAMENTO, January 7, 1916.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as cases of urgency, Senate Bill No. 4—An act to authorize and empower the Board of Trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act:

Also Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county, and to transfer title thereto to the State of California.

Also Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition:

Also Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Also Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

EDWIN F. SMITH, Secretary of Senate.  
J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 4 read first time, and referred to Committee on Ways and Means and Normal Schools.

Senate Bill No. 3 read first time, and referred to Committee on Ways and Means and Normal Schools.

Senate Bill No. 5 read first time, and referred to Committee on Ways and Means and Normal Schools.

Senate Bill No. 6 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 7 read first time, and referred to Committee on Ways and Means.

## MOTION.

Mr. Hawson moved that when the Assembly adjourn, it adjourn to Friday, January 7, 1916, at eight o'clock p.m., provided that Assembly Bills Nos. 1 and 2 will be acted upon at that time.

Mr. Manning offered as an amendment that the time be to Saturday, January 8, 1916, at the hour of nine o'clock and thirty minutes a.m.

Motion as amended carried.

## SENATE MESSAGE.

The following message from the Senate was taken up and read :

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER, I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

EDWIN F. SMITH, Secretary of Senate.  
J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 2 read, and considered without reference to committee.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

On motion of Mr. Manning, Senate Concurrent Resolution No. 2 was adopted and ordered transmitted to the Senate.

## SENATE CONCURRENT RESOLUTION NUMBER TWO.

Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

WHEREAS, The people of Marin County on May nineteenth, twentieth, and twenty-first of this year (which dates are provisional) will celebrate the landing of Drake's armada upon the shores of California, and

WHEREAS, The resources of the region and of the State of California will be brought to the attention of the world by a series of flower games and by pageantry, displaying the customs, habits and activities of the people who are working out their destinies within the confines of California; and

WHEREAS, The history of the State of California will be depicted by a series of tableaux enacted by the descendants of those who made the state and who are its foremost citizens, and

WHEREAS, This celebration will be international in its scope and participation; and

WHEREAS, The celebration will be a memorable episode in the educational, cultural and economic history of the State of California, therefore be it

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California hereby endorse this celebration by the people of Marin County and hereby recommend it to the good will of the citizens of the State of California; and be it further

*Resolved.* That the Governor of the State of California be and is hereby authorized to proclaim this celebration to the citizens of the State of California, and be it further

*Resolved.* That the Governor of the State of California be and is hereby authorized to proclaim the celebration to the governments of the other states in the union and invite their participation; and be it further

*Resolved.* That the officials and officers of the various departments of the government of the State of California be and hereby are authorized and directed to give such aid, assistance and help to the people of Marin County in planning and organizing their celebration as may come within the scope of their respective departments; and be it further

*Resolved.* That the celebration by the people of Marin County known as the "Marin Flower Pageant" be and hereby is authorized by the Legislature and the Governor of the State of California.

Also :

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1—Relative to adoption of joint rules.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

Senate Concurrent Resolution No. 1 read, and considered without reference to committee.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senate Concurrent Resolution No. 1—Relative to adoption of joint rules

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 finally adopted by the following vote:

AYES—Messrs. Avey, Benton, Boudé, Brown, Henry Ward; Burke, Byrnes, Canepa, Chenoweth, Downing, Edwards, Lawrence, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, J. J., Judson, Lyon, Manning, Marron, McDonald, J. J., McDonald, Walter A., McKnight, Pettis, Phelps, Prendergast, Rigdon, Rominger, Ryan, Satterwhite, Scott, Chas. E., Scott, Fred C., Shartel, Sisson, Spengler, Tabler, Wright, H. W., Wright, T. M., and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 1 ordered transmitted to the Senate.

## SENATE CONCURRENT RESOLUTION NUMBER ONE

Relative to adoption of joint rules.

*Resolved by the Senate, the Assembly concurring,* That the joint rules of the Assembly and Senate of the legislature of the State of California adopted at the forty-first regular session be and they are hereby adopted as the joint rules of the assembly and senate of said legislature for this extraordinary session.

## ADJOURNMENT.

At six o'clock and five minutes p.m., on motion of Mr. McDonald, W. A., the Speaker pro tem declared the Assembly adjourned until nine o'clock and thirty minutes a.m. Saturday, January 8, 1916.

## IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,

Saturday, January 8, 1916

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boudé, Boyce, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Collins, Deunett, Downing, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Monser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishaud, Wright, H. W., Wright, T. M., and Mr. Speaker—70.

Quorum present.

## LEAVE OF ABSENCE.

On motion of Mr. Kramer, Mr. Bruck was granted leave of absence for the day.

## PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

## READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

## ASSISTANT CLERK WENDING READING.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON FEDERAL RELATIONS.

## ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916

MR. SPEAKER: Your Committee on Federal Relations to which was referred Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the state in which such institutions are located—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

FERGUSON, Chairman

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Assembly Joint Resolution No. 2—Relative to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the State in which such institutions are located.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Messrs Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Brown, Henry Ward, Burke, Byrnes, Collins, Conard, Downing, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gelder, Godsil, Hawson, Hayes, D. R., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Mouser, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Widenmann, Wills, Wishard, and Wright, H. W.—58.

NOES—Mr Browne, M. B.—1.

Title read and approved.

Assembly Joint Resolution No. 2 ordered transmitted to the Senate

## ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Relative to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located

WHEREAS The State of California has made such provision as its resources allow for the proper care in public institutions of patients afflicted with tuberculosis of the lungs; and

WHEREAS Many thousands of patients afflicted with tuberculosis come to this state from other states, many of whom become a charge on state and municipal funds; and

WHEREAS There has been introduced in congress a bill providing federal aid for indigent non-resident tuberculosis patients cared for in hospitals which conform to the hygienic standard established by the United States treasury department, now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly.* That we consider the proposed measure to be of the greatest importance to this state

and to the whole nation and express the hope that it may become law at the present session of congress; and be it further

*Resolved*, That our senators and representatives in congress be and they are hereby requested to use all honorable means to expedite and secure the passage of said bill, be it further

*Resolved*, That the chief clerk of the assembly be and he is hereby directed to transmit a certified copy of these resolutions to the president and speaker respectively of the senate and house of representatives and to each of our senators and representatives in congress.

#### REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

##### ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916,

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Bill read second time.

Senate Bill No. 5—An act to provide for the disposition any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read second time.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Bill read second time.

Mr. Wright, H. W., moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 4, 5, and 7.

Motion carried.

#### IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Hon. Howard J. Fish in the chair.

Senate Bills Nos. 4, 5, and 7 considered.

Mr. Wright, H. W., moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

#### IN ASSEMBLY.

Speaker pro tem. Hon. Howard J. Fish in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

GENTLEMEN: The Committee of the Whole has had under consideration Senate Bills Nos. 4, 5, and 7, and do now report the same back, with recommendation that they do pass.

FISH, Chairman.

Senate Bills Nos. 4, 5, and 7 ordered on file for third reading.

Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California.

Bill read second time, and ordered on file for third reading

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916.

Bill read second time, and ordered on file for third reading

#### RESOLUTIONS.

The following resolution was offered.

By Mr. Shartel:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

*Resolved*, That there shall hereby be appropriated out of the contingent fund of the Assembly the sum of two hundred dollars (\$200.00), or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to the Assemblymen to their place of residence at the close of this extra session. The Sergeant-at-Arms for the Assembly shall cause this work to be done and he shall file with the Controller of State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms of the Assembly for the amount necessary and expended, and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

## REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

## ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2—An act to amend sections sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act—and reports that the same has been correctly engrossed.

PHELPS, Chairman.

## SPECIAL ORDER FILE.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

Resolution read.

The question being on the adoption of the resolution.

On motion of Mr. Johnson, Assembly Concurrent Resolution No. 2 was adopted, and ordered transmitted to the Senate.

## ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State

WHEREAS, The practice of appealing to the district courts of appeal and to the supreme court of the State of California has increased so rapidly that an action appealed from the superior courts is not ordinarily determined for a period of at least two years after such appeal is taken from the superior court and

WHEREAS, A litigant against whom a judgment has been obtained in the superior court, by taking an appeal to a higher court, without regard to the merits of the case, may unnecessarily and unreasonably delay, and in many instances actually defeat, the ends of justice, and

WHEREAS, Such delay and uncertainty as to the rights of litigants and prospective litigants is destructive both of individual rights and of that respect and obedience to the law which is the desideratum of good government, therefore be it

*Resolved by the Assembly, the Senate concurring,* That the justices of the Supreme Court, the justices of the District Courts of Appeal, and the judges of the Superior Courts of the State of California, the California Bar Association, and the bar associations of the various counties be, and they hereby are, invited and requested to submit to the legislature at its forty-second session such recommendations as they may consider necessary in order to avoid as far as possible the dilatory practices and delays hereinbefore set forth: and be it further

*Resolved,* That the chief clerk of the Assembly be, and he is hereby, directed to send a copy of this resolution to each of the justices and judges of the various courts hereinbefore referred to, to the secretary of the California Bar Association and to the secretary of every county bar association in this State.



## UNFINISHED BUSINESS.

## CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED)

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act": approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

## QUESTION OF PERSONAL PRIVILEGE.

Mr. Johnson rose to a question of personal privilege and addressed the Assembly as follows:

*Mr. Speaker and Gentlemen of the Assembly.*

During the two terms that I have been a member of this Assembly I have never found occasion, because of any grievance or injustice that may have been done me by any individual or by the press of this State, to rise and speak to a question of personal privilege.

I find, however, that because of the rumors and suggestions of compromise on the bill which is now before this Assembly, which rumors and suggestions of compromise first appeared openly in the Elections Committee meeting yesterday and also about the Capitol, that there is some necessity in the minds of my friends who have aligned themselves on either side of this proposition, to speak to a question of personal privilege and explain, so far as I know, from whence came those suggestions of a compromise, and in addressing myself to you this morning I do not wish it understood that I do so because of any injustice or supposed injustice that I consider has been done me, but rather because there appears to have been an injustice, and there is a misapprehension in the minds of my friends on both sides of this question regarding the matter.

To make the matter clear to you I wish to state at this time that, so far as I know, the suggestion of what has been termed a compromise on the bill at present before us came solely and entirely from me and from no other person, either a member of this Assembly or an official or individual in any way connected with the state administration. I wish to go even further and say that before this extraordinary session was convened I placed before the author of this bill and the Governor of this State, specifically and particularly, the very proposition which has been termed a compromise, and such suggestion was by them, if I may be permitted to use the term, turned down. I still hoped, nevertheless, and still believed that such a compromise was the proper and orderly and legal thing to do. I wish to assure you that I have no hesitancy in assuming the entire responsibility for any suggested compromise that may have been made, for I am not ashamed of such action. However, when the Elections Committee was, yesterday evening, advised by the Attorney General that any legislation, in the nature of what I had suggested as a compromise, if passed at this extraordinary session, would be unconstitutional and void and invalidate any and all law along this line which might be enacted at this session, I meekly bowed to the opinion of the Attorney General of this State.

In my mind the fact that I may believe the Attorney General to be mistaken in his interpretation of our rights does not alter the situation. The Attorney General is the official guide and legal adviser of this Assembly. We expect him to sustain in the courts the laws which we enact. I therefore consider that we owe him and his opinion some degree of respect, that we should not enact a law which he has specifically advised would not be constitutional and that it would be highly improper for us to pass and attempt to create a law when the Attorney General has furthermore advised that such an enactment at this time would invalidate and make void the rest of the legislation which we pass on this subject.

My opinion is that we should at this extraordinary session enact some legislation as far as we can do so legally to correct the confusion into which our election laws have been plunged.

However, without continuing further along this line, my only purpose at the present time is to make it clear to every one who may have been concerned in the suggestion of a so-called compromise that, so far as I know, no such suggestion came from any person, either a member of this body or otherwise, except myself.

I thank you.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED)

##### TIME FOR DEBATE EXTENDED.

During the debate upon the question, Mr. Young was granted an extension of time in which to complete his debate.

##### TIME FOR DEBATE EXTENDED.

During the debate upon the question, Mr. Schmitt was granted an extension of time in which to complete his debate.

##### RECESS.

At twelve o'clock and thirty-five minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

##### RECONVENED.

At one o'clock and thirty minutes p.m. the Assembly reconvened.  
Speaker pro tem., Hon. Howard J. Fish, in the chair.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

##### HON. HENRY W. WRIGHT IN THE CHAIR.

At three o'clock and twenty minutes p.m. Hon. Henry W. Wright, Assemblyman from the Sixty-ninth District, in the chair.

##### TIME FOR DEBATE EXTENDED.

During the debate upon the question, Mr. Bartlett was granted an extension of time in which to complete his debate.

##### SPEAKER PRO TEM. IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

## POINT OF ORDER.

During the discussion of Assembly Bill No. 1 by Mr. Satterwhite, Mr. Hawson called Mr. Satterwhite to order for "offensive words spoken in debate" and asked that the following words spoken by him be taken down:

"That I have witnessed in this Assembly and during this session, methods which are shifty, unscrupulous and hypocritical, and the same methods that I have witnessed as being used on the part of criminal crooks that I have prosecuted."

## POINT OF ORDER WELL TAKEN.

The Speaker pro tem. ruled the point of order well taken.

## MOTION.

On motion of Mr. Brown, Henry Ward, Mr. Satterwhite was permitted to proceed with his debate.

## MOTION.

Mr. Brown, Henry Ward, moved that the debate on Assembly Bill No. 1 be concluded at the hour of six o'clock and thirty-five minutes p.m., and that a vote on the passage of the bill be taken at that time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Messrs. Anderson, Avev, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L., Ennell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Huyes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Riedon, Ryan, Salisbury, Satterwhite, Scott, F. C., Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—46.

NOES—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward, Browne, M. B., Burke, Cary, Chamberlin, Downing, Edwards, R. G., Hawson, Hayes, D. R., Kerr, Long, Lostutter, Lyon, Manning, McCray, Petus, Phillips, Quinn, Rodgers, Rominger, Schmitt, Scott, C. E., and Spengler—29.

Title read and approved, bill ordered transmitted to the Senate.

## EXPLANATION OF VOTE.

Mr. Boude asked for, and was granted, unanimous consent to have the following explanation of his vote on Assembly Bill No. 1, printed in the Journal:

It was my desire when the extraordinary session of 1916 was called that full opportunity would be given to amend the registration laws now in force so as to permit of a declaration of party affiliation at time of registration and also, if thought best, at the time of the party primaries. However, since the Attorney General has ruled that under the call for an extraordinary session by the Chief Executive the registration laws can not be amended at this time, I wish to go on record as stating that I believe that it is the desire of the people of our State as expressed at the polls last October to have the privilege of partisan registration at the time of registration and also make a partisan declaration at the primaries. Therefore I vote for this bill, believing that it is all that can be done at this session and in the belief that the registration laws should be more satisfactorily amended at the regular session of 1917.

## MOTION.

Mr. Hawson moved that when the Assembly adjourns this day it adjourn until Monday, January 10, 1916, at the hour of ten o'clock a.m.  
Motion lost.

## MOTION.

Mr. Brown, Henry Ward, moved that when the Assembly adjourns this day it adjourn until Sunday, January 9, 1916, at the hour of ten o'clock a.m.

Motion lost.

## CONSIDERATION OF ASSEMBLY BILL NUMBER TWO.

Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

During third reading of the bill, Mr. Brown, Henry Ward, moved that the Speaker appoint a Select Committee of One to amend the bill as follows.

## AMENDMENT NUMBER ONE.

On page 5, strike out lines 29, 30 and 31 and the following words in line 32: "Held, shall be used" and the period following the word "used", and insert in lieu thereof the following:

"SEC. 6. For the purposes of the May presidential primary election, the original affidavits of registration and indexes used in the last general election in any county or city and county in this State may be used, together with the original affidavits of registration since the last election, and supplemental indexes, showing all additional registrations, changes and corrections made since the registration for the last general election, completed to and including the thirty-first day prior to said May presidential primary election, which shall be the last day on which any person may register or transfer registration so as to entitle said person to vote at such primary."

Roll call regularly demanded

The roll was called, and the motion lost by the following vote:

**AYES**—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward, Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E.—26.

**NOES**—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Couard, Dennett, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M. and Mr. Speaker—43.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

## AMENDMENT NUMBER ONE.

On page 6, strike out lines 25 to 35, inclusive.

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

**AYES**—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward, Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, McChay, Phillips, Quinn, Ream, Rigdon, Rodgers, Rominger, Schmitt, and Scott, C. E.—27.

NOES—Messrs Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L. Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J. Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Tabler, Widenmann, Wills, Wisbard, Wright, H. W., Wright, T. M., and Mr. Speaker—44.

## POINT OF ORDER.

Mr. Schmitt rose to the following point of order: "That according to section 1, article IV of the Constitution an extra roll call was necessary, requiring a two-thirds vote on section 5 of the bill."

## POINT OF ORDER NOT WELL TAKEN.

The Speaker pro tem. ruled the point of order not well taken.

Mr. Schmitt appealed from the decision of the Speaker pro tem.

Mr. Hawson seconded appeal.

Roll call regularly demanded.

The question is, "Shall the decision of the Chair stand as the judgment of the Assembly?"

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L. Encell, Ferguson, Gebhart, Gelder, Godsil, Harris, Hayes, J. J. Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Tabler, Widenmann, Wills, Wisbard, Wright, H. W., Wright, T. M., and Mr. Speaker—44

NOES—Messrs Arnerich, Ashley, Bartlett, Beck, Benton, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, McCray, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, and Scott, C. E—25.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L. Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J. Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Tabler, Widenmann, Wills, Wisbard, Wright, H. W., Wright, T. M., and Mr. Speaker—45

NOES—Messrs Arnerich, Ashley, Bartlett, Beck, Benton, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, McCray, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, and Scott, C. E—25

Title read and approved.

Bill ordered transmitted to the Senate.

## SENATE MESSAGES—(OUT OF ORDER)

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State

EDWIN F. SMITH, Secretary of Senate  
By J. A. MILLER, Assistant Secretary.

Assembly Concurrent Resolution No. 2 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 8, 1916.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the state in which such institutions are located.

EDWIN F. SMITH, Secretary of Senate.  
By J. A. MILLER, Assistant Secretary.

Assembly Joint Resolution No. 2 ordered to enrollment.

#### ADJOURNMENT.

At eight o'clock p.m., on motion of Mr. Gelder, the Speaker pro tem declared the Assembly adjourned until eleven o'clock a.m., Monday, January 10, 1916.

#### IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.

Monday, January 10, 1916.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward, Browne, M. B. Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, Lawrence, Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, Walter A. McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E. Scott, Fred C. Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M. and Mr. Speaker—75.

Quorum present.

#### LEAVES OF ABSENCE.

On motion of Mr. Benton, Mr. Chamberlin was granted leave of absence for the day.

On motion of Mr. Encell, Mr. Beck was granted leave of absence for the day.

#### PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

#### READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Sharkey, its further reading was dispensed with.

#### APPROVAL OF JOURNALS.

Mr. Encell moved that the Journals of Wednesday, January 5, Thursday, January 6, Friday, January 7, and Saturday, January 8, 1916, be approved as corrected by the Minute Clerk.

## ASSISTANT CLERK WENDERING READING.

## SPECIAL THIRD READING FILE.

Assembly Bill No. 3—An act to amend sections fifteen, sixteen and seventeen of an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof,” approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

## POINT OF ORDER.

Mr. Fish rose to the following point of order:

“That Assembly Bill No. 3 is not admissible before this special session on the ground that it involves and includes a subject of legislation not specified in the proclamation of the Governor calling such special session.”

## POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

Mr. Bartlett appealed from the decision of the Speaker.

Mr. Schmitt seconded appeal.

The question is, “Shall the decision of the Chair stand as the judgment of the Assembly?”

Roll call regularly demanded.

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Sharkey, Sisson, Widenmann, Wright, H. W., and Wright, T. M.—35.

NOES—Messrs. Arnerich, Bartlett, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Cary, Downing, Edwards, R. G., Hawson, Hayes, D. R., Keir, Kramer, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E., Shartel, Spengler, and Wills—31.

Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

## POINT OF ORDER.

Mr. Fish rose to the following point of order:

“That Assembly Bill No. 7 is not admissible before this special session on the ground that it involves and includes a subject of legislation not specified in the proclamation of the Governor calling such special session.”

## POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

Mr. Burke appealed from the decision of the Speaker.

Mr. Schmitt seconded appeal.

The question is, "Shall the decision of the Chair stand as the judgment of the Assembly?"

Roll call regularly demanded.

The rolled was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., and Wright, T. M.—40.

NOES—Messrs. Arnerich, Bartlett, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Cary, Downing, Edwards, R. G., Hawson, Hayes, D. R., Kerr, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E., and Spengler—28

## RECESS.

At twelve o'clock and forty minutes p.m., the Assembly was declared at recess until two o'clock p.m. of this day.

## RECONVENED.

At two o'clock p.m. the Assembly reconvened.

Speaker Young in the chair.

## SPECIAL FILE SENATE BILLS—THIRD READING FILE.

Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

## HON. HOWARD J. FISH IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

## SPEAKER IN THE CHAIR.

At three o'clock and five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

## SPEAKER PRO TEM. IN THE CHAIR.

At five o'clock and twenty minutes p.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.



## SPEAKER IN THE CHAIR.

At five o'clock and twenty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 4 finally passed by the following vote:

AYES—Messrs. Avey, Bartlett, Benton, Boude, Browne, M. B. Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Godsil, Harris, Hawson, Hayes, Judson, Kennedy, Kerr, Kramer, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Scott, F. C., Sharkey, Sisson, Widenmann, Wishard, Wright, H. W., and Mr. Speaker—52.

NOES—Messrs. Anderson, Arnerich, Brown, Henry Ward, Gelder, Hayes, D. R., Johnson, Long, Lostutter, McCray, McPherson, Quinn, Schmitt, Scott, C. E., Shartel, Spengler, Tabler, Wills, and Wright, T. M.—18.

Title read and approved, bill ordered transmitted to the Senate.

Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets in the city and county and to transfer title thereto to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 3 finally passed by the following vote:

AYES—Messrs. Avey, Bartlett, Benton, Boude, Brown, Henry Ward, Browne, M. B. Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Godsil, Harris, Hawson, Hayes, J. J., Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Scott, F. C., Sharkey, Sisson, Widenmann, Wishard, Wright, H. W., and Mr. Speaker—56.

NOES—Messrs. Anderson, Arnerich, Gelder, Hayes, D. R., Johnson, Long, McCray, Schmitt, Scott, C. E., Shartel, Spengler, Wills, and Wright, T. M.—13.

Title read and approved, bill ordered transmitted to the Senate.

Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 5 finally passed by the following vote:

AYES—Messrs. Avey, Bartlett, Benton, Boude, Browne, M. B. Bruck, Byrnes, Canepa, Chenoweth, Collins, Conard, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Godsil, Harris, Hawson, Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Scott, C. E., Scott, F. C., Sharkey, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., and Mr. Speaker—55.

NOES—Messrs. Anderson, Arnerich, Brown, Henry Ward, Gelder, Hayes, D. R., Long, McCray, McPherson, Schmitt, Shartel, Spengler, and Wright, T. M.—12.

Title read and approved, bill ordered transmitted to the Senate.

## SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1916

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended and on this day passed as amended Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act": approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof—And respectfully requests your honorable body to concur in said amendments.

EDWIN F. SMITH, Secretary of Senate  
By J. W. KAVANAGH, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1?"

## AMENDMENT NUMBER ONE.

Strike out of page 21 of the printed bill all of line 14 following the period, all of lines 15 to 21, inclusive, and all of line 22, down to and including the period and insert in lieu thereof the following: "The names of the parties at the heads of the party columns shall be arranged in alphabetical order for the First Assembly District, and thereafter for each succeeding Assembly District, the party column appearing first in the last preceding Assembly District shall be placed last, the order of the other party columns remaining unchanged."

## AMENDMENT NUMBER TWO.

Strike out of page 32 of the printed bill the last word in line 16, all of line 17 and all of line 18, down to and including the word "eighty-two" and insert in lieu thereof the words "and one thousand two hundred sixty-eight".

## AMENDMENT NUMBER THREE

On page 33 in line 17 of the printed bill insert before the semicolon the following: "provided, however, that in entering the statement of such result, the provisions of subdivision six of section one thousand two hundred eighty-two of the Political Code shall apply".

## AMENDMENT NUMBER FOUR

On page 38, line 5 of the printed bill, after the word "vacancy" insert the words "in the membership of such convention".

## AMENDMENT NUMBER FIVE.

On page 38 of the printed bill insert before the word "vacancy" in line 6, the word "such".

## AMENDMENT NUMBER SIX.

On page 45 of the printed bill strike out of line 7 the word "forty-seven" and insert in lieu thereof the word "twenty-seven".

The roll was called, and Senate amendments to Assembly Bill No. 1 were concurred in by the following vote:

AYES—Messrs. Anderson, Avey, Bartlett, Benton, Boude, Browne, M. B., Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—58.

NOES—Messrs. Arnerich, Boyce, Brown, Henry Ward, Bruck, Manning, McCrasy, Meek, Phillips, and Spengler—9.

The above bill ordered to print, and enrollment.

## SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

The above bill ordered to enrollment.

## THIRD READING FILE (RESUMED).

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 6 finally passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward, Browne, M. B., Bruck, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Downing, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Wadenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—67.

NOES—None.

Title read and approved, bill ordered transmitted to the Senate.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 7 finally passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Brown, Henry Ward, Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Phillips, Prendergast, Quinn, Ream, Rodgers, Ryan, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Tabler, Wills, Wishard, Wright, H. W., and Mr. Speaker—60.

NOES—Messrs. Boude, Boyce, and Spengler—3.

Title read and approved, bill ordered transmitted to the Senate.

## MOTION.

Mr. Gelder moved that when the Assembly adjourns this day it adjourn until Tuesday, January 11, 1916, at nine o'clock and thirty minutes a.m.

## INTRODUCTION AND REFERENCE OF ASSEMBLY JOINT RESOLUTIONS.

The following Joint Resolutions were introduced and referred as indicated:

By Mr. Avey: Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways

Resolution read, and considered without reference to committee.

By Mr. Edwards, Lawrence: Assembly Joint Resolution No. 4—Relative to unemployment.

Resolution read, and considered without reference to committee.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THREE

Assembly Joint Resolution No. 3—Relative to construction and maintenance of national military highways.

Resolution read.

Mr. Avey moved the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Boude, Brown, Henry Ward, Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chenoweth, Conard, Edwards, L., Edwards, R. G., Ferguson, Fish, Gebhart, Godsil, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Prendergast, Quinn, Ream, Rodgers, Ryan, Satterwhite, Scott, C. E., Scott, F. C., Shatkey, Shartel, Sisson, Tabler, Willis, Wright, H. W., Wright, T. M., and Mr. Speaker—54.

NOES—Messrs. Boyce, Gelder, Harris, Kennedy, and Phelps—5.

Title read and approved, Assembly Joint Resolution No. 3 ordered transmitted to the Senate

## ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Relative to the construction and maintenance of national military highways.

WHEREAS, There has been introduced in Congress by the Hon. William D. Stephens, of Los Angeles, a bill providing for the construction and maintenance of national military highways to be used in times of war for the mobilization of troops, and for the transportation of supplies and munitions; and

WHEREAS, The said bill contemplates the utilization of said highways for all highway purposes in times of peace, thus affording a great convenience and benefit to many sections, and all classes of citizens of the United States, and

WHEREAS, Said bill provides for the location of said highways across the northern and southern frontiers of our country and along the eastern and western coast lines, all laterals of which are to be connected with strategic points from the interior; and

WHEREAS, The skill and energy of the engineers and the personnel of our standing army can be used profitably to the end that our country and our state will be greatly benefited; and

WHEREAS, The automobile has become a great factor in modern means of transportation, as is evidenced by their use in the warring nations of Europe; and

WHEREAS, Preparedness can not be complete without the utilization of motor vehicles, and a national highway system commensurate with the exigencies of a great war problem; therefore be it

*Resolved*, That the Assembly and the Senate jointly, of the State of California, do most earnestly urge the Congress of the United States to adopt the said measure now pending before it; and be it further

*Resolved*, That a copy of these resolutions be sent to the Hon. Lindley M. Garrison, Secretary of War, the Hon. William D. Stephens, and to His Excellency, Woodrow Wilson, President of the United States as well as to our representatives in the Senate and House of Representatives of the United States of America.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Assembly Joint Resolution No. 4—Relative to unemployment.

Resolution read.

Mr. Edwards. Lawrence, moved the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Messrs Anderson, Arnerich, Avey, Benton, Bonde, Boyce, Brown, Henry Ward: Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Downing, Edwards, L., Edwards, R. G., Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Ream, Rigdon, Rodgers, Ryan, Satterwhite, Scott, F. C., Sharkey, Sisson, Spengler, Tabler, Wills, Wright, H. W., and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 4 ordered transmitted to the Senate.

## ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Relative to unemployment.

WHEREAS, The United States Department of Labor has, during the past year, conducted an extensive system of labor exchanges, receiving eighty-eight thousand applications for work, fifty-seven thousand of which could not be filled; and

WHEREAS, The department, as a partial solution of the problem, has recommended in its third annual report that the public land tenure be so regulated as to insure to the settler the entire product of his labor through government retention of title, together with financial aid to such of the unemployed as may take up holdings on the public domain; now, therefore, be it

*Resolved, by the Assembly and Senate of the State of California jointly, That we do hereby endorse the proposed plan as eminently practicable and as marking definite progress toward the solution of the unemployment problem; and be it further*

*Resolved, That the Chief Clerk of the Assembly be and he hereby is instructed to forward a copy of these resolutions to the United States Secretary of Labor*

## RESOLUTIONS.

The following resolutions were offered:

By Mr. Fish:

WHEREAS, The Chief Clerk is required to prepare a final calendar of the proceedings and history of bills; to have printed and chaptered the laws passed and to mail same to the members of the Assembly and also to sign and file with the Secretary of State the Journals after the close of the session, be it

*Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant for fifty dollars (\$50.00) in favor of L. B. Mallory, Chief Clerk of the Assembly; twenty-five dollars (\$25.00) upon the appropriation for payment of officers and employees, and twenty-five dollars (\$25.00) upon the Contingent Fund of the Assembly; the latter to pay for the mailing of the above and for postage, expressage, telephone, telegraphing, etc., during and incident to the session*

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Gelder:

WHEREAS, It will be necessary for V. G. Gelcich, Minute Clerk and J. O. Hestwood, Engrossing and Enrolling Clerk and Journal Clerk to remain after the close of the session to correct and sign the Journals; be it

*Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the payment of officers and employees of the Assembly, in favor of the following named persons and the Treasurer is directed to pay the same:*

Vincent G. Gelcich, Minute Clerk-----	\$9.00
J. O. Hestwood, Engrossing and Enrolling and Journal Clerk-----	7.00

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Hayes, D. R.:

WHEREAS, It is necessary to employ certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the special session of the Legislature to properly accommodate said body, and also to do certain necessary clean-up work of the legislative chamber and committee rooms after adjournment; and

WHEREAS, There is no statutory provision for the salaries of said legislative employees for an extraordinary session: now, therefore, be it

*Resolved*, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Assembly in favor of George G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred and twenty dollars (\$120.00) said amount being in payment of said services.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Wright, H. W.:

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in the sum of seventy-seven dollars and sixty-two cents (\$77.62), in favor of L. B. Mallory, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Cascade Towel Supply, \$50 towels at 40c per 100-----	\$3 40
W. F. Purnell, 3 gavels and blocks -----	3 50
Underwood Typewriter Co., rent of 4 typewriters and stands-----	7 00
American Cash Store, 1 case matches-----	2 75
Sleeper Stamp Co., 3 stamps at 35c-----	1 05
Superintendent Capitol Bldg. and Grounds, stationery and supplies--	55 92
Pacific Telephone and Telegraph Co., rent of 4 phones at \$1.00----	4 00
	<hr/>
	\$77 62

Resolution read, and referred to Committee on Contingent Expenses.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR SPEAKER Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 1—Relative to celebration in Marin County of Drake's landing;

Also Assembly Concurrent Resolution No. 3—Relative to the commission for relief to Belgium;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ENCELL, Chairman

Also:

##### ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 4—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also Assembly Bill No. 5—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Assembly Bill No. 6—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California;

Also: Assembly Bill No. 8—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

Also: Assembly Bill No. 9—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

#### ADJOURNMENT.

At six o'clock and fifteen minutes p.m., on motion of Mr. Fish, the Assembly was declared adjourned until nine o'clock and thirty minutes a.m. of Tuesday, January 11, 1916.

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#### IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,

Tuesday, January 11, 1916.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Downing, Edwards, R. G., Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marrou, McCray, McDonald, J. J., McDonald, Walter A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salishury, Satterwhite, Schmitt, Scott, Chas. E. Scott, Fred C. Sharkey, Shartel, Sisson, Spengler, Tabler, Wills, Wishard, Wright, H. W., and Mr. Speaker—GS.

Quorum present.

#### LEAVES OF ABSENCE.

On motion of Mr. Benton, Mr. Chamberlin was granted leave of absence for the day.

On motion of Mr. Ferguson, Mr. Beck was granted leave of absence for the day.

On motion of Mr. Sharkey, Mr. Encell and Mr. Widenmann were granted leave of absence for the day.

On motion of Mr. Gelder, Mr. McPherson was granted leave of absence for the day.

On motion of Mr. Hayes, D. R., Mr. Wright, T. M., was granted leave of absence for the day.

On motion of Mr. Benton, Mr. Dennett was granted leave of absence for the day.

On motion of Mr. Gebhart, Mr. Edwards, L., was granted leave of absence for the day.

On motion of Mr. Lyon, Mr. Rominger was granted leave of absence for the day.

#### PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

#### READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gelder, its further reading was dispensed with.

#### SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways;

Also: Assembly Joint Resolution No. 4—Relative to unemployment

EDWIN F. SMITH, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary

The above resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1916

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*

EDWIN F. SMITH, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Resolution read, and considered without reference.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Anderson, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Browne, M. B. Bruck, Burke, Byrnes, Cary, Collins, Conard, Downing, Edwards, R. G. Ferguson, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wishard, Wright, H. W., and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Senate

#### SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Relative to adjournment *sine die*.

*Resolved by the Senate, the Assembly concurring.* That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at twelve o'clock noon, Tuesday, January eleventh, nineteen hundred sixteen.



## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER SACRAMENTO, January 11, 1916

MR. SPEAKER Your Committee on Contingent Expenses, to which was referred the accompanying resolution

WHEREAS, The Chief Clerk is required to prepare a final calendar of the proceedings and history of bills, to have printed and chaptered the laws passed and to mail same to the members of the Assembly and also to sign and file with the Secretary of State the Journals after the close of the session; be it

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant for fifty dollars (\$50.00) in favor of L. B. Mallory, Chief Clerk of the Assembly, twenty-five dollars (\$25.00) upon the appropriation for payment of officers and employees, and twenty-five dollars (\$25.00) upon the Contingent Fund of the Assembly, the latter to pay for the mailing of the above and for postage, expressage, telephone, telegraphing, etc. during and incident to the session:

And the Treasurer is directed to pay the same.

Has had the same under consideration, and respectfully reports back and recommends that it be adopted

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Ashlev, Avey, Bartlett, Benton, Bonde, Bruck, Burke, Collins, Conard, Downing, Edwards, R. G., Ferguson, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Wills, Wright, H. W., and Mr. Speaker—51.

NOES—Mr. Browne, M. B.—1

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the accompanying resolution

WHEREAS, It will be necessary for V. G. Gelcich, Minute Clerk, and J. O. Hestwood, Engrossing and Enrolling Clerk and Journal Clerk, to remain after the close of the session to correct and sign the Journal; be it

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the payment of officers and employees of the Assembly, in favor of the following named persons and the Treasurer is directed to pay the same:

Vincent G. Gelcich, Minute Clerk----- \$9.00

J. O. Hestwood, Engrossing and Enrolling and Journal Clerk----- 7.00

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman

Mr. Rigdon moved the adoption of the report and resolution

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Ashlev, Avey, Bartlett, Benton, Boude, Boyce, Browne, M. B., Bruck, Burke, Byrnes, Cary, Chenoweth, Conard, Edwards, R. G., Ferguson, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kerr, Kramer, Long, Lostutter, Lyon, Manning, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Spengler, Tabler, Wills, Wright, H. W., and Mr. Speaker—52.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the accompanying resolution

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in the sum of seventy-seven dollars and sixty-two cents (\$77.62), in favor of L. B. Mallory, Chief Clerk,

to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same

Cascade Towel Supply, \$50 towels at 40 cents per 100-----	\$3 40
W. F. Purnell, 3 gavels and blocks-----	3 50
Underwood Typewriter Co., rent of 4 typewriters and stands-----	7 00
American Cash Store, 1 case matches-----	2 75
Sleeper Stamp Co., 3 stamps at 35 cents-----	1 05
Superintendent Capitol Building and Grounds, stationery and supplies-----	55 92
Pacific Telephone and Telegraph Co., rent of 4 phones at \$100-----	4 00
	<hr/> \$77 62

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs Anderson, Arnerich, Avey, Bartlett, Benton, Boude, Boyce, Bruck, Burke, Byrnes, Cary, Chenoweth, Conard, Downing, Ferguson, Gebhart, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kerr, Kramer, Long, Lostutter, Lyon, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Ryan, Satterwhite, Schmitt, Scott, Chas E., Scott, Fred C., Sharkey, Shartel, Sisson, Spengler, Wills, Wright, H. W., and Mr Speaker—53.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER Your Committee on Contingent Expenses, to which was referred the accompanying resolution:

WHEREAS, It is necessary to employ certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the special session of the Legislature to properly accommodate said body, and also to do certain necessary clean-up work of the legislative chamber and committee rooms after adjournment; and

WHEREAS, There is no statutory provision for the salaries of said legislative employees for an extraordinary session, now, therefore, be it

*Resolved*, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Assembly in favor of George G Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred and twenty dollars (\$120.00) said amount being in payment of said services.

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Bruck, Burke, Byrnes, Cary, Chenoweth, Collins, Conard, Edwards, Lawrence, Ferguson, Gebhart, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wills, Wright, H. W., Wright, T. M., and Mr Speaker—58.

NOES—Mr. Browne, M. B.—4.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER Your Committee on Contingent Expenses, to which was referred the accompanying resolution

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916

*Resolved*, That there shall hereby be appropriated out of the contingent fund of the Assembly the sum of fifty dollars (\$50.00), or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to the Assemblymen to their place of residence at the close of this extra session. The Sergeant-at-Arms for the Assembly shall cause

this work to be done, and he shall file with the Controller of State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms of the Assembly for the amount necessary and expended, and the Treasurer is directed to pay the same.  
Has had the same under consideration, and respectfully reports back and recommends that it be adopted, as amended.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Bruck, Burke, Byrnes, Cary, Chenoweth, Collins, Conard, Edwards, R. G. Ferguson, Gebhart, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wills, Wright, H. W., and Mr. Speaker—58.

NOES—Mr. Browne, M. B.—1.

#### RESOLUTION.

The following resolution was offered:

By Mr. Gelder:

*Resolved*, That L. B. Mallory, Chief Clerk of the Assembly, be and he is hereby authorized and empowered to receipt for warrants due officers, employees and members of the Assembly after the close of the session and to mail the same to the respective owners.

Resolution read, and on motion adopted.

#### RECESS.

At ten o'clock and thirty minutes a.m., the Assembly was declared at recess until eleven o'clock a.m. of this day.

#### REASSEMBLED.

At eleven o'clock a.m. the Assembly reconvened.

Speaker Young in the chair.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was taken up and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,  
January 11, 1916.

*To the Assembly of the State of California:*

There have been transmitted to me today as having been passed by both houses of the Legislature, Assembly Bill No. 1 and Assembly Bill No. 2, and I advise you prior to your adjournment that both of these bills have been duly signed and approved by me.

HIRAM W. JOHNSON,  
Governor of the State of California.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916

MR. SPEAKER: Your Committee on Engrossment and Enrollment begs leave to report that Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways:

Also Assembly Joint Resolution No. 4—Relative to unemployment.  
Have been correctly enrolled, and were presented to the Governor this eleventh day of January, at ten o'clock and thirty minutes a.m.

PHELPS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of president and vice president of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also, to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act": approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Also: Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for president of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the presidential primary act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Also: Assembly Joint Resolution No. 1—Relative to a petition to the secretary of the navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island navy yard.

Also: Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located.

Also: Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

And were presented to the Governor this 11th day of January, at ten o'clock and thirty minutes a.m.

PHELPS, Chairman

#### RESOLUTION.

The following resolution was offered:

By Mr. Ryan:

*Resolved*, That a select committee of three be appointed by the Speaker, to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are now ready to adjourn, and in readiness to receive any further communication which he may have to make.

Resolution read, and, on motion, adopted.

#### APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Ryan, Wright, H. W., and Judson as such committee.

#### RESOLUTION.

The following resolution was offered:

By Mr. Harris:

*Resolved*, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready to adjourn, and ask if the Senate has any further communication to make to the Assembly.

Resolution read, and, on motion, adopted.

#### APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Harris, Hawson, and Boude as such committee.

## COMMITTEE FROM THE SENATE.

Senators Strobridge, Rush and Stuckenbruck appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

## REPORT OF SELECT COMMITTEES.

The following reports of special committees were received:

Assemblymen Harris, Hawson, and Boude, the special committee appointed to notify the Senate that the Assembly was ready to adjourn, reported that they had notified the Senate, in accordance with their instructions, and that the Senate would shortly convey a message to the Assembly through their committee.

Also:

Assemblymen Ryan, Wright, H. W., and Judson, the special committee appointed to wait upon the Governor and inform him of the Assembly's readiness to adjourn *sine die*, reported that his Excellency had informed the committee that he had no further communication to transmit to the Assembly.

## APPROVAL OF JOURNALS.

Mr. Gebhart moved that the Journals of Monday, January 10, and Tuesday, January 11, 1916, be approved as corrected by the Minute Clerk.

## ADJOURNMENT.

At twelve o'clock m. of Tuesday, January 11, 1916, the Hon. C. C. Young, Speaker of the Assembly, announced that the time for final adjournment of the extraordinary session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die*.

C. C. YOUNG,

Speaker of the Assembly.

HOWARD W. FISH,

Speaker pro tem. of the Assembly.

L. B. MALLORY,

Chief Clerk of the Assembly.

VINCENT G. GELCICH,

Minute Clerk of the Assembly.